

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. EILEEN A. RAKOWER
Justice

PART 15

FCM DNS. CO.

INDEX NO. 452122/13

MOTION DATE

MOTION SEQ. NO. 3

The following papers, numbered 1 to , were read on this motion to/for

Notice of Motion/Order to Show Cause — Affidavits — Exhibits No(s).

Answering Affidavits — Exhibits No(s).

Replying Affidavits No(s).

Upon the foregoing papers, it is ordered that this motion is

See annexed order.

DECIDED IN ACCORDANCE WITH
ACCOMPANYING DECISION / ORDER

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):

Dated: 3/3/15
MAR 03 2015

HON. EILEEN A. RAKOWER, J.S.C.

- 1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
DO NOT POST FIDUCIARY APPOINTMENT REFERENCE

At IAS Part 15 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 71 Thomas Street, in the County, City and State of New York, on the 3 day of MARCH, 2015.

P R E S E N T:

HON. EILEEN A. RAKOWER, J.S.C.

-----X
In the Matter of

Index No.: 452122/13

the Liquidation of

ORDER

ICM INSURANCE COMPANY.
-----X

Mary Jo Marchisello, Assistant Special Deputy Superintendent and agent of the Superintendent of Financial Services of the State of New York as liquidator ("Liquidator") of ICM Insurance Company ("ICM"), having moved this Court for an order: (i) approving the Liquidator's report on the status of liquidation of ICM ("Report") and the financial transactions delineated therein; (ii) authorizing the continued payment of administrative expenses; (iii) authorizing the Liquidator to distribute ICM's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of ICM with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; and (iv) providing for such other and further relief as this Court deems appropriate and just.

NOW, upon reading the Verified Petition, dated January 16, 2015, due proof of service thereof upon all parties interested in ICM, and due deliberation having been had thereon, and upon the decision of this Court;

NOW, on application of John Pearson Kelly, attorney for the Liquidator, it is

ORDERED, that the application is granted; and it is further

ORDERED, that the Report on the status of the Liquidation Proceeding and financial transactions delineated in such Report are approved; and it is further

ORDERED, that the Liquidator is authorized to continue the payment of administrative expenses; and it is further

ORDERED, that the Liquidator is authorized to distribute ICM's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of ICM with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available.

ENTER

MAR 03 2015



J.S.C.

HON. EILEEN A. RAKOWER