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6/25/15
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SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: JAFFE
Justice

PART 12

LMI Insurance Company

INDEX NO. 402632/00

MOTION DATE _____

MOTION SEQ. NO. 03

-v-

RE:

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

**DECIDED IN ACCORDANCE WITH
ACCOMPANYING DECISION / ORDER**

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

FILED

JUN 25 2015

COUNTY CLERK'S OFFICE
NEW YORK

Dated: JUN 24 2015

Barbara Jaffe, J.S.C.
BARBARA JAFFE
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 12 of the Supreme Court of the State of New York, County of New York, at the courthouse at 80 Centre Street, in the County, City and State of New York, on the 24th day of June, 2015.

P R E S E N T:

HON. BARBARA JAFFE, J.S.C.

-----X

In the Matter of

the Ancillary Receivership of

LMI INSURANCE COMPANY.

-----X

Index No.: 402632/00

ORDER

FILED

JUN 25 2015

COUNTY CLERK'S OFFICE
NEW YORK

Mary Jo Marchisello, Assistant Special Deputy Superintendent and agent of the Acting

Superintendent of Financial Services of the State of New York as ancillary receiver ("Ancillary Receiver") of LMI Insurance Company ("LMI"), having moved this Court, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), for an order:

- (1) approving the Ancillary Receiver's report on the status of and request to close ("Closing Report") the LMI ancillary receivership proceeding ("Ancillary Receivership Proceeding") and the financial transactions delineated in such report;
- (2) authorizing the payment of administrative expenses, including such expenses pertaining to the closing of the Ancillary Receivership Proceeding;
- (3) terminating and closing the Ancillary Receivership Proceeding;
- (4) extending judicial immunity to the Ancillary Receiver, and his successors in office and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any acts or omissions when acting in good faith, in accordance with the orders of this Court, and/or in the performance of their duties pursuant to Insurance Law Article 74;
- (5) releasing and

discharging the Ancillary Receiver, his predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the Ancillary Receivership Proceeding; and (6) providing the Ancillary Receiver with such other and further relief as the Court deems appropriate and just.

NOW, upon reading the Verified Petition, dated June 4, 2015, due proof of service thereof upon LMI's policyholders, claimants, creditors and other interested parties, and due deliberation having been had thereon, and upon the decision of this Court;

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

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

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

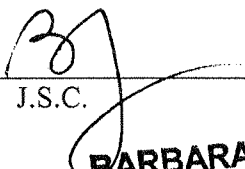
ORDERED, that the Ancillary Receiver is authorized to continue paying administrative expenses, including such expenses pertaining to the closing of the Ancillary Receivership Proceeding; and it is further

ORDERED, that the Ancillary Receivership Proceeding is terminated and closed; and it is further

ORDERED, that judicial immunity is extended to the Ancillary Receiver, and his successors in office and their agents and employees, for any cause of action of any nature against them, individually or jointly; for any acts or omissions when acting in good faith, in accordance with the orders of this Court and/or in the performance of their duties pursuant to Insurance Law Article 74; and it is further

ORDERED, that the Ancillary Receiver, his predecessors and successors in office, and their agents, attorneys and employees, are released and discharged from any and all liability arising from their acts or omissions in connection with the Ancillary Receivership Proceeding.

ENTER



J.S.C.
BARBARA JAFFE
J.S.C.

FILED
JUN 25 2015
COUNTY CLERK'S OFFICE
NEW YORK

Index No. 402632

Year 2000

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

In the Matter of

the Ancillary Receivership of

LMI INSURANCE COMPANY.

ORDER

(Closing Report)

JOHN PEARSON KELLY

Attorney for Acting Superintendent of Financial Services of the State of New York as Ancillary Receiver

Office and Post Office Address, Telephone

New York Liquidation Bureau
110 William Street
New York, NY 10038
(212) 341-6755
Fax (212) 233-0461

ATTORNEY CERTIFICATION

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information, belief and reasonable inquiry, the contentions in the above referenced document(s) are not frivolous.

Dated: June 24, 2015
New York, New York

Melissa A. Pisapia
Melissa A. Pisapia

[] NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on the day of 20

[] NOTICE OF SETTLEMENT

that an order
settlement to the HON.

of which the within is a true copy will be presented for
one of the judges of the within named court, at
20 at

Dated:

, on

Yours, etc.

JOHN PEARSON KELLY

Attorney for Acting Superintendent of Financial
Services of the State of New York as Ancillary
Receiver

Office and Post Office Address, Telephone

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