

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

PRESENT: ALICE SCHLESINGER
Justice

PART 1A PART 16

MONY Healthcare, Inc.

INDEX NO.

40181108

MOTION DATE

3

MOTION SEQ. NO.

MOTION CAL. NO.

Re:

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

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

PAPERS NUMBERED

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion

in accordance with the accompanying long-form order. petition is granted

FILED

NOV 20 2012

NEW YORK
COUNTY CLERKS OFFICE

NOV 14 2012

Dated: November 14, 2012

Alice Schlesinger
ALICE SCHLESINGER J.S.G.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST REFERENCE

SUBMIT ORDER/ JUDG.

SETTLE ORDER/ JUDG.

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

At IAS Part 16, of the Supreme Court of the State of New York, County of New York, at the courthouse, 60 Centre Street, in the County, City and State of New York, on the 19 day of November 2012.

P R E S E N T :

HON. ALICE SCHLESINGER, J.S.C.

-----X
In the Matter of

the Liquidation of

MDNY HEALTHCARE, INC.
-----X

FILED

Index No.: 401811/08

ORDER

NOV 20 2012

**X NEW YORK
COUNTY CLERK'S OFFICE**

Mary Jo Marchisello, Assistant Special Deputy Superintendent and Agent of the Superintendent of Financial Services of the State of New York ("Superintendent") as liquidator ("Liquidator") of MDNY Healthcare, Inc. ("MDNY"), having moved this Court, pursuant to Article 74 of the New York Insurance Law, for an order: (i) approving the Liquidator's Report ("Report") on the Status and Request to Close MDNY's liquidation proceeding ("Liquidation Proceeding") and the financial transactions delineated therein; (ii) authorizing the continued payment of administrative costs and expenses, including such costs and expenses pertaining to the closing of the Liquidation Proceeding; (iii) authorizing the Liquidator to write-off as uncollectible debt the remaining balances of MDNY's receivables; (iv) terminating and closing the Liquidation Proceeding; (v) authorizing the Liquidator, without further application to this Court, to continue to receive and disburse assets to those creditors of MDNY with allowed claims who are eligible to share in a distribution after the termination of the Liquidation Proceeding and to pay the administrative costs and expenses incurred in connection with any such distributions; (vi) releasing and discharging the Liquidator, his predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their

acts and omissions in connection with the Liquidation Proceeding; (vii) authorizing and directing the Liquidator, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other property of MDNY without further order of this Court; and (viii) providing for such other and further relief as this Court may deem just and proper.

NOW, upon reading the Verified Petition, dated September 14, 2012, due proof of service thereof upon all parties interested in MDNY, 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 and the financial transactions delineated therein are approved; and it is further

ORDERED, that the Liquidator is authorized to continue paying administrative costs and expenses, including such costs and expenses pertaining to the closing of the Liquidation Proceeding; and it is further

ORDERED, that the Liquidator is authorized to write-off as uncollectible debt the remaining balances of MDNY's receivables; and it is further

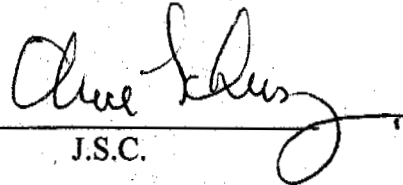
ORDERED, that the Liquidation Proceeding is terminated and closed; and it is further

ORDERED, that the Liquidator is authorized, without further application to this Court, to continue to receive and disburse assets to those creditors of MDNY with allowed claims who are eligible to share in a distribution after the termination of the Liquidation Proceeding and to pay the administrative costs and expenses incurred in connection with any such distributions; and it is further

ORDERED, that the Liquidator, 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 and omissions in connection with the Liquidation Proceeding; and it is further

ORDERED, that the Liquidator is authorized and directed, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other property of MDNY without further order of this Court.

ENTER



J.S.C.

ALICE SCHLESINGER

FILED

NOV. 20 2012

**NEW YORK
COUNTY CLERK'S OFFICE**

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

In the Matter of

the Liquidation of

MDNY HEALTHCARE, INC.

ORDER

JOHN PEARSON KELLY

Attorney for the Superintendent of Financial Services of the State of New York as Liquidator

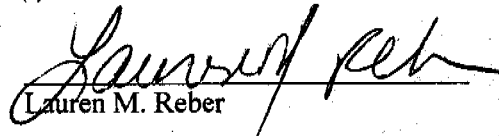
Office and Post Office Address, Telephone

New York Liquidation Bureau
110 William Street - 15TH Floor
New York, NY 10038
(212) 341-6755
Fax (212) 608-3398

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: _____, 2012
New York, New York


Lauren M. Reber

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: _____

Yours, etc.

FILED
NOV 20 2012
NEW YORK
COUNTY CLERK'S OFFICE

JOHN PEARSON KELLY

Attorney for the Superintendent of Financial
Services of the State of New York as Liquidator

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