

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

PRESENT: FEINMAN  
Justice

PART 12

MISSION INSURANCE COMPANY

INDEX NO. 041353/87

MOTION DATE 11/30/2011

MOTION SEQ. NO. 01

MOTION CAL. NO. \_\_\_\_\_

- v -  
RE.

**E-FILE**

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
<u>1-3</u>

Cross-Motion:  Yes  No

Upon the foregoing papers, it is ordered that this ~~motion~~ <sup>petition/motion</sup> ~~is~~ granted without opposition. Order signed.

The Article 74 Final Report of the Conservator is approved.

It is further ordered that petitioner shall upload a copy of the ~~substantive~~ <sup>order to show cause</sup> petition, petition, or all supporting affidavits, exhibits and ~~other~~ papers into the NYSCEF within 30 days of entry of this order. It is further ORDERED that petitioner's counsel shall provide the Clerk of Court with affidavit attesting to the posting in nycourts of same.

Dated: 11/30/2011

SAF  
J.S.C.

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 12 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 30 day of NOV., 2011.

P R E S E N T:

HON. PAUL G. FEINMAN, J.S.C.

-----X  
In the Matter of

the Conservation of the Assets and Property  
in the State of New York of

Index No.: 41353/1987

**ORDER**

MISSION INSURANCE COMPANY.  
-----X

A motion having regularly come on to be heard before this Court on the 30<sup>th</sup> day of November 2011, for an order granting the motion of Superintendent of Financial Services of the State of New York as conservator (the "Conservator") of Mission Insurance Company ("Mission"), by Jonathan L. Bing, Special Deputy Superintendent (the "Special Deputy") and agent of the Conservator for termination and closure of Mission's conservation proceeding (the "Conservation Proceeding");

NOW, upon the Special Deputy's Verified Petition, dated October 13, 2011, and due proof of service thereof upon the Liquidator of Mission, and due deliberation having been had thereon;

NOW, on application of John Pearson Kelly, Esq., attorney for the Conservator, it is

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

ORDER, that the within Conservation Proceeding is terminated and closed; and it is

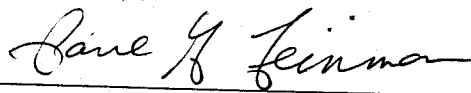
further

ORDER, that the Conservator, his predecessors and successors in office, and their agents, attorneys, clerks, assistants and employees are released and discharged from any and all liability arising from or relating to their acts or omissions in connection with this Conservation Proceeding; and it is further

ORDER, that the New York Liquidation Bureau is authorized to receive and disburse to the Workers' Compensation Security Fund ("WC Fund"), without further application to this Court, any future distributions from the Insurance Commissioner of the State of California as liquidator of Mission ("Liquidator") that are owed to the WC Fund; and it is further

ORDERED, that the Conservator is authorized and directed to destroy or otherwise dispose of any and all of the books, files, records and other property of Mission without further order of this Court.

ENTER

  
\_\_\_\_\_  
J.S.C.

**HON. PAUL G. FEINMAN**