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12/11/14
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SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: STALLMAN
Justice

PART 21

NEW YORK MERCHANT BAKERS
INSURANCE COMPANY

INDEX NO. 403106/97

MOTION DATE _____

MOTION SEQ. NO. 34

RE:

The following papers, numbered 1 to 4, were read on this motion to/for affirming liquidation report
Notice of Motion/Order to Show Cause — Affidavits — Exhibits + 3 affidavits of service | No(s). 1, 2-4
Answering Affidavits — Exhibits _____ | No(s). _____
Replying Affidavits _____ | No(s). _____

Upon the foregoing papers, it is ordered that this motion is granted without opposition.
Order signed.

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

FILED

DEC 11 2014

COUNTY CLERK'S OFFICE
NEW YORK

RECEIVED
DEC 11 2014
GENERAL CLERK'S OFFICE
NYS SUPREME COURT - CIVIL

HON. MICHAEL D. STALLMAN

Dated: 12/6/14

[Signature], 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 21 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 80 Centre Street, in the County, City and State of New York, on the 8 day of Dec, 2014.

P R E S E N T:

HON. MICHAEL D. STALLMAN, J.S.C.

-----X

In the Matter of

the Liquidation of

NEW YORK MERCHANT BAKERS
INSURANCE COMPANY.

-----X

Index No.: 403106/97

FILED

ORDER

DEC 11 2014

COUNTY CLERK'S OFFICE
NEW YORK

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 New York Merchant Bakers Insurance Company ("NYMB"), having moved this Court for an order: (i) approving the Liquidator's report ("Closing Report") on the status of and request to close the NYMB liquidation proceeding ("Liquidation Proceeding") and the financial transactions delineated in such Closing Report; (ii) authorizing the continued payment of administrative expenses, including such expenses pertaining to the closing of the Liquidation Proceeding; (iii) terminating and closing the Liquidation Proceeding; (iv) authorizing the Liquidator, without further application to this Court, to continue, after the termination of the Liquidation Proceeding, to receive and disburse assets, pursuant to Insurance Law Article 74, to those creditors of NYMB with allowed claims who are eligible to share in a *pro-rata* distribution, and to pay administrative expenses incurred in connection with the collection and disbursement of such assets; (v) 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 or omissions in connection with the Liquidation Proceeding; (vi) 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 NYMB without further order of this Court; and (vii) providing for such other and further relief as this Court deems appropriate and just.

NOW, upon reading the Verified Petition, dated September 11, 2014, due proof of service thereof upon all parties interested in NYMB, 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 Closing Report on the status of and request to close the Liquidation Proceeding and financial transactions delineated in such Closing Report are approved; and it is further

ORDERED, that the Liquidator is granted the continued authority to pay administrative expenses, including such expenses pertaining to the closing of the Liquidation Proceeding; 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, after the termination of the Liquidation Proceeding, to receive and disburse assets, pursuant to Insurance Law Article 74, to those creditors of NYMB with allowed claims who are eligible to share in a *pro-rata* distribution, and to pay administrative expenses incurred in connection with the collection and disbursement of such assets; 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 or omissions in connection with the Liquidation Proceeding; and it is further

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

ENTER



J.S.C.

HON. MICHAEL D. STALLMAN

FILED

DEC 11 2014

COUNTY CLERK'S OFFICE
NEW YORK

Index No. 403106

Year 1997

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

In the Matter of
the Liquidation of

NEW YORK MERCHANT BAKERS INSURANCE COMPANY.

ORDER

JOHN PEARSON KELLY

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

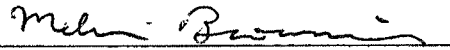
Office and Post Office Address, Telephone

New York Liquidation Bureau
110 William Street
New York, NY 10038
(212) 341-6523
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: 2014
New York, New York


Melvin Browning

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
for settlement to the HON.

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

Dated:

, on

Yours, etc.

JOHN PEARSON KELLY

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