

**IN THE MATTER OF THE LIQUIDATION OF
NEW YORK SURETY COMPANY
Supreme Court County of Nassau
Index No.: 17005/98**

NOTICE

Pursuant to an order of the Supreme Court of the State of New York, County of Nassau (“Court”), entered September 21, 1998 (“Liquidation Order”), the then-Superintendent of Insurance of the State of New York, and his successors in office, were appointed as liquidator (“Liquidator”) of New York Surety Company (“NYSCO”) and, as such, has been directed to take possession of NYSCO’s property, liquidate its business and affairs, and dissolve its corporate charter pursuant to Article 74 of the New York Insurance Law (“Insurance Law”). The Superintendent of Financial Services of the State of New York has now succeeded the Superintendent of Insurance as Liquidator of NYSCO. The Liquidator has, pursuant to Insurance Law Article 74, appointed an Acting Special Deputy Superintendent (“Acting Special Deputy”) and Assistant Special Deputy Superintendents (“Assistant Special Deputies”), as his agents to liquidate the business of NYSCO. The Acting Special Deputy and Assistant Special Deputies carry out his duties through the New York Liquidation Bureau, 110 William Street, New York, New York 10038. The Liquidator has submitted to the Court a verified petition (“Verified Petition”) seeking an order: (i) approving the Liquidator’s Report on the Status and Request to Close (“Closing Report”) NYSCO’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) terminating and closing the Liquidation Proceeding; (iv) authorizing the Liquidator, without further application to this Court, to continue to receive assets after the termination of the Liquidation Proceeding, pay administrative costs and expenses incurred in connection with the collection of such assets and, if any assets remain after the payment of administrative costs and expenses, to disburse those assets, pursuant to Insurance Law Article 74, to those creditors of NYSCO with allowed claims who are eligible to share in a *pro rata* distribution; (v) authorizing the Liquidator, without further application to this Court, to release the collateral to the principals who were issued NYSCO surety bonds or to the New York State Comptroller as abandoned property in accordance with applicable law; (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 NYSCO without further order of this Court; and (viii) providing for such other and further relief as this Court may deem just and proper;

A hearing is scheduled on the Verified Petition on the 14 day of February, 2013, at 9:30 a.m., before the Court at the Courthouse, IAS Part 2, 100 Supreme Court Drive, in the County Nassau, City of Mineola and State of New York. If you wish to object to the Verified Petition, you must serve a written statement setting forth your objections and all supporting documentation upon the Liquidator and on the Clerk of the Court with an affidavit of service on the Liquidator, at least

seven days prior to the hearing. Service on the Liquidator shall be made by first class mail at the following address:

Superintendent of Financial Services of the State of New York as
Liquidator of New York Surety Company
110 William Street
New York, New York 10038
Attention: John Pearson Kelly
General Counsel

The Verified Petition and Closing Report are available for inspection at the above address. In the event of any discrepancy between this notice and the documents submitted to Court, the documents control.

Requests for further information should be directed to the New York Liquidation Bureau, Creditor and Ancillary Operations Division, at (212) 341-6665.

Dated: January 3, 2013

Superintendent of Financial Services of the
State of New York as Liquidator of
New York Surety Company