

At IAS Part 35 of the Supreme Court of the State of New York, at the courthouse located at 60 Centre, in the City, County and State of New York, on the 6th day of October, 2020.

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

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In the Matter of

Index No. **451834/2020**

the Application of

ORDER

Linda A. Lacewell, Superintendent of Financial Services of the State of New York, for an order to take possession and liquidate the business and affairs of

ONETITLE NATIONAL GUARANTY COMPANY, INC.
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Linda A. Lacewell, Superintendent of Financial Services of the State of New York (“Superintendent”), having moved this Court by order to show cause (“Order to Show Cause”) for an order placing OneTitle National Guaranty Company (“OneTitle”) into liquidation, appointing the Superintendent and her successors in office as liquidator (“Liquidator”) of OneTitle, and directing the Liquidator to take possession of OneTitle’s property and to liquidate its business and affairs, and upon reading and filing the petition of the Superintendent, duly verified on August 31, 2020 (the “Petition”), the affidavit of Marc Allen, sworn to on August 28, 2020, and the exhibits and schedules annexed thereto, this Court finds that OneTitle should be placed into liquidation under Insurance Law Article 74 because OneTitle consented to the entry of an order of liquidation; and

NOW, on motion of Letitia James, Attorney General of the State of New York, it is hereby

ORDERED as follows:

1. The relief requested in the Petition for an order of liquidation (“Order”) is granted;
2. The Superintendent and her successors in office are appointed Liquidator of OneTitle;
3. The Liquidator is directed to take possession of OneTitle’s property and liquidate OneTitle’s business and affairs in accordance with Insurance Law Article 74;
4. The Liquidator is vested with all powers and authority expressed or implied under Insurance Law Article 74, in addition to the powers and authority set forth in this Order and with title to OneTitle’s property, contracts, rights of action, and all of its books and records, wherever located, as of the date of entry of this Order;
5. The Liquidator may deal with the property and business of OneTitle in OneTitle’s name or in the name of the Liquidator;
6. All persons and entities are permanently enjoined and restrained from wasting the assets of OneTitle, and are permanently enjoined and restrained, except as authorized by the Liquidator, from transacting OneTitle’s business or disposing of OneTitle’s property;
7. All persons and entities are permanently enjoined and restrained from interfering with the Liquidator or this proceeding, obtaining any preferences, judgments, attachments or other liens, making any levy against OneTitle, its assets or any part thereof, and commencing or prosecuting any actions or proceedings against the Liquidator, OneTitle, the New York Liquidation Bureau, or their present or former employees, attorneys, or agents, relating to this proceeding or the discharge of their duties under Insurance Law Article 74 in relation thereto;
8. The Liquidator is vested with all rights in OneTitle’s contracts and agreements, however described, and is permitted to, in her discretion, reject any contracts to which OneTitle is a party, in which case all liability under such contracts or agreements shall cease and be fixed as of the date of rejection;
9. Any bank, savings and loan association, other financial institution, or any other entity or person, that has on deposit or in its possession, custody, or control any of OneTitle’s funds, accounts (including escrow accounts), or assets shall immediately, upon the Liquidator’s request and direction: (a) turn over custody and control of such funds, accounts or assets to the Liquidator; (b) transfer title of such funds, accounts, or assets to the Liquidator; (c) change the name of such accounts to the name of the Liquidator; (d) transfer funds from such bank, savings and loan association, or other financial institution; and (e) take any other action reasonably necessary for the proper conduct of the liquidation proceeding;
10. All persons or entities, including, without limitation, OneTitle Holdings, LLC, having property, papers (including attorney work product and documents held by

attorneys), and/or information, including, but not limited to, underwriting data, any reinsurance or other insurance policies, claims files (electronic or paper), software programs, and/or bank records owned by, belonging to, or relating to OneTitle, shall preserve such property and/or information and immediately, upon the Liquidator's request and direction, assign, transfer, turn over, and deliver such property and/or information to the Liquidator;

11. The Liquidator is authorized, permitted, and allowed to sell, assign, or transfer any and all stocks, bonds, or other securities at the best price reasonably obtainable at such times and upon such terms and conditions as, in her discretion, she deems to be in the best interest of the creditors of OneTitle, and is further authorized to take such steps and to make and execute such agreements and other papers as may be necessary to effect and carry out such sales, transfers, and assignments, without the further approval of this Court;
12. All existing insurance policies of OneTitle shall terminate at 12:01 A.M. local time on the date that is 30 days from the date of entry of an order of liquidation of OneTitle.
13. All claims against OneTitle and all evidence to support such claims must be submitted to the Liquidator by the date ("Bar Date") that is six (6) months from the date of entry of this Order, and all claims submitted after the Bar Date are barred and discharged, except that the Bar Date does not apply to the Liquidator's claims for administrative expenses;
14. All claims against OneTitle submitted for the first time after the issuance of this Order, and all evidence supporting such claims, shall be filed on or before the Bar Date using the electronic portal for the submission of claims located on the website www.nylbpoc.org;
15. The Liquidator is authorized, in her discretion, to refrain from adjudicating claims of any class unless and until: (a) she reasonably believes that adjudication of such claims would be in the best interests of the estate or (b) it is likely that the OneTitle estate will have sufficient assets to pay claims of such class;
16. Immunity is extended to the Superintendent in her capacity as Liquidator of OneTitle, her successors in office, the New York Liquidation Bureau, and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Article 74;
17. The Liquidator may at any time make further application to this Court for such further and different relief as she sees fit;
18. The Liquidator shall serve a copy of this Order by overnight delivery upon:
(a) B. Lance Sauerteig, Chairman of the Board of Directors, OneTitle National

Guaranty Company, Inc., at 7060 Lions Head, Boca Raton, Florida, 33496; and (b) any person or entity who or that timely filed and served papers in opposition to the relief sought;

- 19. The Liquidator shall provide notice of this Order to all creditors, claimants, and interested persons by: (a) publication of notice of this Order, in a form substantially similar to the one attached hereto as Annex A, in the *New York Post*, once a week for two consecutive weeks, commencing within 30 days of entry of this Order; and (b) posting this Order on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> within 15 days after the entry of this Order;
- 20. This Court shall retain jurisdiction over this matter for all purposes;
- 21. The caption for this proceeding is hereby amended as follows:

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK
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 In the Matter of


 the Liquidation of

 ONETITLE NATIONAL GUARANTY COMPANY, INC.
 -----X

- 22. All further papers in this proceeding shall bear the above amended caption.

Dated: 10/6/2020

ENTER


 HON. CAROL R. EDMÉAD J.S.C.

 J.S.C.