

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

PRESENT: STALLMAN
Justice

PART 21

REALM NATIONAL INSURANCE CO.

INDEX NO. 401876/05

MOTION DATE _____

MOTION SEQ. NO. 08

MOTION CAL. NO. _____

- v -

RE:

The following papers, numbered 1 to only were read on this motion to/for order of discharge

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

Answering Affidavits — Exhibits _____

Replying Affidavits _____

(No opposition)

Cross-Motion: Yes No

PAPERS NUMBERED

only

Upon the foregoing papers, it is ordered that this motion liquidation for an order pursuant to paragraph 7 of Art. 74 establishing a cut-off date and other relief, is granted.
Order signed.

FILED

APR 01 2014

NEW YORK
COUNTY CLERK'S OFFICE

HON. MICHAEL D. STALLMAN

Dated: 3/31/14

J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

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

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 31 day of March, 2014.

P R E S E N T :

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

-----x
In the Matter of

FILED Index No.: 401876/2005

the Liquidation of

APR 01 2014

ORDER

REALM NATIONAL INSURANCE COMPANY **NEW YORK**

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COUNTY CLERK'S OFFICE

John Pearson Kelly, Assistant Special Deputy Superintendent and Agent of the Superintendent of Financial Services of the State of New York ("Superintendent") as Liquidator ("Liquidator") of Realm National Insurance Company ("Realm"), having moved this Court, pursuant to Article 74 of the New York Insurance Law, for an order: approving the Liquidator's Report on the Status of the Liquidation of Realm National Insurance Company and Request for Authority to Distribute Assets and Establish a Cut-Off Date ("Report") and the financial transactions delineated therein; (ii) establishing ~~March~~ ^{July} 31, 2014 as the cut-off date, the final date by which the Liquidator must actually receive in respect of any claim presented prior to January 31, 2014 (the "Bar Date" established in this proceeding by order of this Court entered on November 15, 2013) any and all evidence demonstrating (a) that such claim has been liquidated and (b) that there has been actual loss and/or payment in respect of such claim; (iii) barring and discharging all claims, other than claims for administrative expenses reported after the Bar Date; (iv) authorizing the continued payment of administrative expenses; (v) authorizing the Liquidator

to distribute Realm's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of Realm with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; (vi) extending judicial immunity to the Liquidator of Realm, his successors in office 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; and (vii) providing for such other and further relief as this Court deems appropriate and just.

NOW, upon reading the Verified Petition, dated December 6, 2013, due proof of service thereof upon all parties interested in Realm, 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 ~~March~~^{JULY} 31, 2014 is established as the cut-off date, the final date by which the Liquidator must actually receive in respect of any claim presented prior to the Bar Date any and all evidence demonstrating (a) that such claim has been liquidated and (b) that there has been actual loss and/or payment in respect of such claim; and it is further

ORDERED, that all claims, other than claims for administrative expenses reported after the Bar Date are barred and discharged; and it is further

ORDERED, that the Liquidator is authorized to continue paying administrative expenses; and it is further

ORDERED, that the Liquidator is authorized to distribute Realm's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of Realm with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; and it is further •

~~ORDERED, that judicial immunity is extended to the Liquidator of Realm, his successors in office 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.~~

ENTER



J.S.C.

HON. MICHAEL D. STALLMAN

FILED

APR 01 2014

NEW YORK
COUNTY CLERK'S OFFICE

Index No. 401876 Year 2005

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

In the Matter of

the Liquidation of

REALM NATIONAL INSURANCE COMPANY.

ORDER

JOHN PEARSON KELLY

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

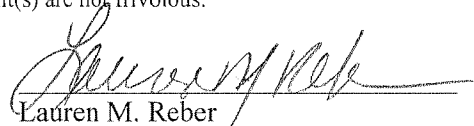
Office and Post Office Address, Telephone

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: MARCH 3, 2014
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 of which the within is a true copy will be presented for
settlement to the HON. one of the judges of the within named court, at

Dated:

FILED

20 at

Yours, etc.

APR 01 2014

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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