

*m. s. j. ; olive*

At IAS Part 17 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 27 day of August, 2015.

PRESENT:

HON. SHLOMO S. HAGLER, J.S.C.

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In the Matter of

Index No.: 452618/14

the Liquidation of

**ORDER TO SHOW CAUSE**

UHAB MUTUAL INSURANCE COMPANY.

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Based on the affirmation of Melissa A. Pisapia, an attorney with the New York Liquidation Bureau, the organization that carries out the duties of Anthony J. Albanese, Acting Superintendent of Financial Services of the State of New York in his capacity as liquidator ("Liquidator") of UHAB Mutual Insurance Company ("UHAB"), dated the 13<sup>th</sup> day of August, 2015, and the exhibits attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of the Liquidator and after due deliberation having been had thereon,

LET all creditors, claimants and persons interested in the affairs of UHAB or counsel show cause before this Court at IAS Part 17 thereof, at the Courthouse located at 60 Centre Street, in the County, City and State of New York, on the 2<sup>nd</sup> day of November, 2015 ("Return Date") at 10:00 o'clock a.m., or as soon as thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*,

(i) approving the Liquidator's report on the status of and request to close the UHAB liquidation proceeding ("Liquidation Proceeding") and the financial transactions delineated in such report; (ii) authorizing the payment of administrative expenses, including such expenses for the closing of the Liquidation Proceeding; (iii) authorizing the Liquidator to distribute, after payment of administrative expenses, the remainder of UHAB's assets to UHAB Homesteading Assistance, Inc. d/b/a Urban Homesteading Assistance Board ("Urban Homesteading"), UHAB's sole creditor; (iv) terminating and closing the Liquidation Proceeding; (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; and (vi) granting the Liquidator such other and further relief as this Court deems appropriate and just;

AND, sufficient cause having been alleged therefor, it is hereby

ORDERED, that service of a copy of this Order to Show Cause and its supporting papers be made on Michael Dougherty, Esq., Katten Muchin Rosenman LLP, 575 Madison Ave., New York, NY 10022, and Andrew Reicher, Executive Director, UHAB Homesteading Assistance Board, 120 Wall Street, 20<sup>th</sup> Floor, New York, New York 10005, by serving a copy thereof by overnight mail on or before the 9<sup>th</sup> day of September, 2015, and such service shall be deemed good and sufficient service; and it is further

ORDERED, that the Liquidator shall give further notice of this application by posting this Order to Show Cause and its supporting papers on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least fifteen (15) days before the Return Date with such notice to be deemed good and sufficient notice; and it is further

ORDERED, that answering papers, either in support of or in opposition to the relief sought herein ("Answering Papers"), shall be served on the Liquidator at the following address:

Acting Superintendent of Financial Services of the State of New York  
as Liquidator of UHAB Mutual Insurance Company  
110 William Street  
New York, New York 10038  
Attention: General Counsel

at least seven (7) days before the Return Date, and that any Answering Papers, together with an affidavit of service, shall be filed with the Court on or before the Return Date.

ENTER

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J. S. C.

**SHLOMO HAGLER**  
**J.S.C.**

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

-----X  
In the Matter of

Index No.: 452618/14

the Liquidation of

**AFFIRMATION**

UHAB MUTUAL INSURANCE COMPANY.  
-----X

Melissa A. Pisapia, an attorney licensed to practice in the State of New York, affirms, pursuant to CPLR 2106, as follows:

1. I am an attorney with the New York Liquidation Bureau (“NYLB”), the organization that carries out the duties of Anthony J. Albanese, Acting Superintendent of Financial Services of the State of New York (“Superintendent”) in his capacity as liquidator (“Liquidator”) of UHAB Mutual Insurance Company (“UHAB”), and submit this affirmation upon information and belief the sources of which are the UHAB files maintained by the NYLB and conversations I have had with employees of the Liquidator in support of the Liquidator’s motion to approve the Report on the Status of and Request to Close the Liquidation Proceeding of UHAB (the “Closing Report”), annexed hereto as Exhibit 1.

2. By order dated December 16, 2014 (the “Liquidation Order”), this Court placed UHAB into liquidation under Article 74 of the New York Insurance Law (the “Insurance Law”).

The Liquidation Order vested the Liquidator with, among other things, the responsibility for:

- a. Marshalling UHAB’s assets;
- b. Providing notice of entry of the Liquidation Order to UHAB’s creditors, claimants and other interested persons; and
- c. Otherwise liquidating UHAB’s business pursuant to Article 74 of the Insurance Law.

3. The Liquidator's Closing Report describes the status of the Liquidation Proceeding and that the affairs of the UHAB estate permit (i) administrative expenses to be paid; (ii) distribution of the remainder of UHAB's assets after administrative expenses be paid; and (iii) termination of the Liquidation Proceeding. The Liquidator has marshaled the assets of UHAB, and has determined that the only creditor in the UHAB estate is UHAB Homesteading Assistance, Inc. d/b/a Urban Homesteading Assistance Board ("Urban Homesteading"), a not-for-profit corporate entity.

4. The Liquidation Proceeding has been completed and the Liquidator has fulfilled the purpose for which the Liquidation Proceeding was commenced. The Liquidator wishes to close the Liquidation Proceeding and, after payment of administrative expenses, pay all remaining monies to Urban Homesteading, UHAB's sole creditor. Therefore, it is respectfully submitted that the Closing Report and the financial transactions delineated in such report should be approved, the Liquidator, his predecessors and successors in office, and their agents, attorneys and employees, should be discharged and the Liquidation Proceeding should be terminated and closed.

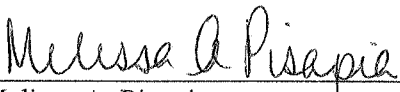
5. The Liquidator requests that this Court issue the accompanying Order to Show Cause approving a return date for a hearing on the Liquidator's application to be held before this Court at least thirty (30) days after the date of issuance of the Order to Show Cause.

6. No previous application for the relief sought herein has been made to this or any other court or judge thereof.

WHEREFORE, it is respectfully requested that this Court enter an Order (i) approving the Closing Report and the financial transactions delineated in such report; (ii) authorizing the payment of administrative expenses, including such expenses for the closing

of the Liquidation Proceeding; (iii) authorizing the Liquidator to distribute, after payment of administrative expenses, the remainder of UHAB's assets to Urban Homesteading, UHAB's sole creditor; (iv) terminating and closing the Liquidation Proceeding; (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; and (vi) granting the Liquidator such other and further relief as this Court deems appropriate and just.

Dated: New York, New York  
August 13, 2015

  
\_\_\_\_\_  
Melissa A. Pisapia

L18419/map

# **EXHIBIT 1**

**REPORT ON THE STATUS OF AND REQUEST TO CLOSE THE LIQUIDATION  
PROCEEDING OF UHAB MUTUAL INSURANCE COMPANY**

Anthony J. Albanese, Acting Superintendent of Financial Services of the State of New York (“Superintendent”) as liquidator (“Liquidator”) of UHAB Mutual Insurance Company (“UHAB”) has appointed certain agents, to carry out, through the New York Liquidation Bureau (“NYLB”), the responsibilities of the Liquidator. The Liquidator, by Mary Jo Marchisello, Assistant Special Deputy Superintendent and Agent, hereby submits this Liquidator’s report on the status of the UHAB liquidation proceeding (“Liquidation Proceeding”) and respectfully requests that such proceeding be closed.

**INTRODUCTION**

Supreme Court, New York County, Index Number 452618/14, (the “Supervising Court”) entered an order (“Liquidation Order”) on December 16, 2014 (“Liquidation Order Date”), pursuant to which this Liquidation Proceeding was commenced. As described more fully below, UHAB was licensed to transact the business of insurance in the State of New York only.

The Liquidation Order charged the Liquidator with, among other things, the responsibility for:

- a. marshaling UHAB’s assets;
- b. providing notice of entry of the Liquidation Order to UHAB’s creditors, claimants and other interested persons; and
- c. otherwise liquidating UHAB’s business pursuant to Article 74 of the New York Insurance Law (“Insurance Law”).

The Liquidator submits this report to apprise the Supervising Court on the status of the Liquidation Proceeding and to seek: (i) approval of the Liquidator’s report on the status of and request to close the Liquidation Proceeding (the “Closing Report”) and the financial transactions



delineated in such report; (ii) authorization for the payment of administrative expenses, including such expenses for the closing of the Liquidation Proceeding; (iii) authorization to distribute, after payment of administrative expenses, the remainder of UHAB's assets to UHAB Homesteading Assistance, Inc. d/b/a Urban Homesteading Assistance Board ("Urban Homesteading"), UHAB's sole creditor; (iv) termination and closure of the Liquidation Proceeding; (v) release and discharge of 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; and (vi) a grant of such other and further relief as this Court deems appropriate and just.

#### **BACKGROUND**

UHAB, a mutual insurance company, was incorporated in the State of New York as a property-casualty insurance carrier on or about October 13, 2004. UHAB was created by the founders and operators of Urban Homesteading, which is a not for profit corporation that provides innovative solutions to housing abandonment and neighborhood deterioration. UHAB was licensed to underwrite insurance under Insurance Law §§ 1113(a)(4) (fire insurance); (5) (miscellaneous property insurance); (6) (water damage insurance); (7) (burglary and theft insurance); (8) (glass insurance); (9) (boiler and machinery insurance); (10) (elevator insurance); (12) (collision insurance); (13) (personal injury liability insurance); (14) (property damage liability insurance); (19) (motor vehicle and aircraft physical damage insurance); and (20) (marine and inland marine insurance).

UHAB was not licensed in any state, other than New York. UHAB never wrote insurance policies of any type, either in the State of New York or elsewhere. As such, UHAB has no policyholders.

Urban Homesteading funded UHAB with monies from a loan it obtained from the Merrill Lynch Community Development Corporation (“Merrill Lynch”). Under the terms of that loan, Urban Homesteading was obligated to begin principal repayment after seven (7) years. Urban Homesteading capitalized UHAB with a \$2,000,000 cash infusion pursuant to the terms and conditions of a loan agreement by and between Urban Homesteading and UHAB. Urban Homesteading holds a subordinated promissory note in the amount of \$2,000,000 with a due date of May 11, 2016 (the “Urban Homesteading Note”). The Urban Homesteading Note is the only creditor obligation owed by UHAB. In other words, UHAB has no creditors other than Urban Homesteading.

On August 26, 2013, UHAB’s board of directors unanimously passed a resolution consenting to the entry of an order of liquidation pursuant to Insurance Law Article 74. On December 16, 2014, UHAB was placed into liquidation.

The Liquidator completed all activities related to UHAB’s Liquidation Proceeding by June 30, 2015, and therefore selected that date for closing UHAB’s books (the “Closing Date”).

#### **FINANCIAL REPORT**

UHAB’s comparative balance sheet as of the Liquidation Order Date and the Closing Date and the statement of changes of cash and invested assets for the period between the Liquidation Order Date and the Closing Date (collectively, the “Financial Statements”) are attached hereto collectively as Exhibit A.

**A. As of the Liquidation Order Date**

The Liquidator conducted a review of UHAB's financial position as of the Liquidation Order Date and found that UHAB had assets totaling \$2,006,354, which consisted of cash and investments; and liabilities totaling \$2,000,000, with a surplus in the amount of \$6,354.

**B. As of the Closing Date**

As of the Closing Date, UHAB had total assets in the amount of \$1,984,747, and total liabilities in the amount of \$2,007,853, which left a deficit in the amount of \$23,106.

**1. Collection of Assets**

From the Liquidation Order Date through the Closing Date, the Liquidator collected investment income in the aggregate amount of \$124 and miscellaneous income from the recovery of unclaimed funds in the amount of \$200.

**2. Disbursement of Assets**

As of the Closing Date, the Liquidator incurred and paid \$21,931 in administrative expenses, which include: \$8,148 for the salaries of the Liquidator's staff, \$5,733 for employee relations and welfare (*e.g.*, payroll taxes, health insurance and pension contributions), \$1,758 for rent and related expenses, \$3,498 for general and administrative expenses (*e.g.*, IT services, and general office maintenance), \$266 for professional fees (*e.g.*, accountants and other consultants), and \$2,528 for other miscellaneous expenses (*e.g.*, insurance and bank fees).

**3. Liabilities**

As of the Closing Date, UHAB's records reflect total liabilities in the amount of \$2,007,853, which consisted of \$7,853 reserved by the Liquidator for incurred but not paid

administrative expenses and other obligations, and \$2,000,000 reserved for the claim of Urban Homesteading, UHABs' sole creditor.

#### 4. **Distribution of Assets**

The priority of distribution of assets from a liquidating insurer is set forth by Insurance Law Section 7434, which provides that all members of a senior class be paid in full before the members of the next class may receive any payment. Section 7434(a)(1) provides in pertinent part:

Upon the recommendation of the Superintendent, and under the direction of the court, distribution payments shall be made in a manner that will assure the proper recognition of priorities and a reasonable balance between the expeditious completion of the liquidation and the protection of unliquidated and undetermined claims.... No claim by a shareholder, policyholder or other creditor shall be permitted to circumvent the priority classes through the use of equitable remedies.

The classes of claims, as provided for in the prioritization scheme established by Insurance Law Section 7434, are as follows:

- (i) Class one. Claims with respect to the actual and necessary costs and expenses of administration incurred by a liquidator or rehabilitator.
- (ii) Class two. All claims under policies, including claims of federal, state or local government for losses incurred, third party claims, claims for unearned premiums, and all claims of security funds or guaranty associations, but excluding claims under reinsurance contracts.
- (iii) Class three. Claims of the federal government, except those under Class two.
- (iv) Class four. Claims for wages owing to employees of an insurer against whom an Article 74 proceeding is commenced and claims for unemployment insurance contributions required by Article 18 of the New York Labor Law.
- (v) Class five. Claims of state and local governments, except those under Class two.

- (vi) Class six. Claims of general creditors, including but not limited to claims arising under reinsurance contracts.
- (vii) Class seven. Claims filed late or any other claims other than claims stated in Class eight or Class nine below.
- (viii) Class eight. Claims for advanced or borrowed funds made pursuant to Insurance Law Section 1307.
- (ix) Class nine. Claims of shareholders or other owners in their capacity as shareholders.

As of the Closing Date, the Liquidator has not distributed any of UHAB's assets.

### **THE LIQUIDATION PROCEEDING**

The Liquidator published notice of UHAB's liquidation in *The New York Post*, once a week for two consecutive weeks, and posted the same notice on the Internet web page maintained by the NYLB at <http://www.nylb.org>. The notice informed creditors, claimants and other interested persons to present their claims within four months from the Liquidation Order Date. As of April 16, 2015, four months after the Liquidation Order Date, no claims against UHAB were presented to the Liquidator. To date, no "late claims" have been presented to the Liquidator. Additionally, in order to comply with Insurance Law Section 7433(b)(2), the Liquidator reviewed UHAB's books and records and determined that Urban Homesteading was UHAB's only creditor. As such, there are no claims against the UHAB estate other than the Urban Homesteading claim.

Therefore, under the relevant statutory scheme, any assets available after the payment of administrative expenses and other obligations of UHAB are to be distributed to Urban Homesteading, as the sole creditor of UHAB. Further, other than paying administrative expenses and Urban Homesteading there is no further action that the Liquidator needs to take to wind-down UHAB and close its estate.

### **RELIEF SOUGHT**

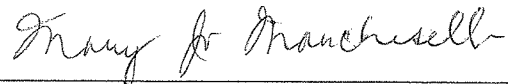
The Liquidator submits this Closing Report in order to describe to the Court the status of the Liquidation Proceeding and to inform the Court that the affairs of the UHAB estate permit administrative expenses to be paid and termination of the Liquidation Proceeding. In support of the Liquidator's recommendations stated herein, the Liquidator has submitted to this Supervising Court the affirmation of Melissa A. Pisapia, an attorney with the NYLB, together with supporting documentation annexed to the affirmation. Based on the Liquidator's compliance with his statutory mandate, including the marshaling of assets of UHAB, together with the fulfillment of all his duties and obligations as set forth in the Liquidation Order, the Liquidator requests that this Court issue an order, which:

- a. approves the Closing Report and the financial transactions delineated in such report;
- b. authorizes the payment of administrative expenses, including such expenses for the closing of the Liquidation Proceeding;
- c. authorizes the Liquidator to distribute, after payment of administrative expenses, the remainder of UHAB's assets to Urban Homesteading, UHAB's sole creditor;
- d. terminates and closes the Liquidation Proceeding;

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- e. releases and discharges 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; and
- f. grants the Liquidator such other and further relief as this Court may deem appropriate and just.

Dated: New York, New York  
August 13, 2015



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Mary Jo Marchisello  
Assistant Special Deputy Superintendent and  
Agent of Anthony J. Albanese, Acting  
Superintendent of Financial Services of the  
State of New York as Liquidator of UHAB  
Mutual Insurance Company

# **EXHIBIT A**



**UHAB MUTUAL INSURANCE COMPANY  
STATEMENT OF ASSETS**

	Jun. 30, 2015	Dec. 16, 2014
<b>Unrestricted Assets</b>		
Cash-Unrestricted	\$ 1,984,747	\$ 2,006,354
Short-Term Investments	-	-
Bonds, Preferred Stocks, and Common Stocks	-	-
<b>Total Cash and Invested Assets</b>	\$ 1,984,747	\$ 2,006,354
Investment in Subsidiary	-	-
<b>Other Invested Assets</b>	-	-
<b>Reinsurance Recoverables on Paid Losses and LAE</b>	-	-
Less: Allowance for Uncollectible Reinsurance Recoverable	-	-
<b>Net Reinsurance Recoverable on Paid Losses and LAE</b>	-	-
<b>Reinsurance Recoverables on Unpaid Losses and Unpaid LAE</b>	-	-
Less: Allowance for Uncollectible Reinsurance Recoverable	-	-
<b>Net Reinsurance Recoverable on Unpaid Losses and LAE</b>	-	-
Receivable from Affiliates	-	-
Accrued Investment Income	-	-
Other Assets	-	-
<b>Total Unrestricted Assets</b>	1,984,747	2,006,354
<b>Restricted Assets:</b>		
Restricted - Statutory Deposits in This or Other States	-	-
Restricted - Other	-	-
<b>Total Restricted Assets</b>	-	-
<b>Total Assets</b>	\$ 1,984,747	\$ 2,006,354

**UHAB MUTUAL INSURANCE COMPANY  
STATEMENT OF LIABILITIES**

	Jun. 30, 2015	Dec. 16, 2014
Secured Claims	-	-
Class I - Administrative Claims:	\$ 7,853	-
Class II - Claims and Related Costs:		
Guaranty Fund Claims:		
Allowed Claims:		
Administrative Claims Expenses	-	-
Loss Adjustment Expenses (LAE)	-	-
Loss Claims	-	-
Unearned and Advance Premium Claims	-	-
Total Allowed Claims	-	-
Less Advance Dividends	-	-
Total Allowed Claims	-	-
Non - Allowed Claims:		
Administrative Claims Expenses	-	-
Loss Adjustment Expenses (LAE)	-	-
Loss Claim Reserves	-	-
Unearned and Advance Premium Claims	-	-
Total Non-Allowed Claims	-	-
Total Guaranty Fund Claims:	-	-
Creditor Claims:		
Allowed Claims:		
Loss Claims	-	-
Unearned and Advance Premium Claims	-	-
Total Allowed Claims	-	-
Less Dividends	-	-
Total Allowed Claims	-	-
Non - Allowed Claims:		
Loss Claims Reserves	-	-
Unearned and Advance Premium Claims	-	-
Loss Adjustment Expenses (LAE)	-	-
Total Non-Allowed Claims	-	-
Total General Creditor Claims	-	-
IBNR	-	-
Total Class II Claims and Related Costs:	-	-
Class III - Federal Government Claims:		
Allowed Claims:	-	-
Less: Dividends	-	-
Total Allowed Claims	-	-
Non - Allowed Claims	-	-
Total Class III Claims	-	-
Class IV - Employee Claims:		
Allowed Claims:	-	-
Less: Dividends	-	-
Total Allowed Claims	-	-
Non - Allowed Claims	-	-
Total Class IV Claims	-	-

**UHAB MUTUAL INSURANCE COMPANY  
STATEMENT OF LIABILITIES**

	Jun. 30, 2015	Dec. 16, 2014
<b>Class V - State and Local Government Claims:</b>		
Allowed Claims:	-	-
Less: Dividends	-	-
<b>Total Allowed Claims</b>	<u>-</u>	<u>-</u>
Non - Allowed Claims	-	-
<b>Total Class V Claims</b>	-	-
<b>Class VI - General Creditors:</b>		
Allowed General Unsecured Creditor Claims (Other than	-	-
Less: Dividends	-	-
<b>Total Allowed Claims</b>	<u>-</u>	<u>-</u>
Non Allowed General Unsecured Creditor Claims (Other than	-	-
Reinsurance Related)	-	-
<b>Total General Unsecured Creditor Claims (Other than Reinsurance</b>	<u>-</u>	<u>-</u>
Reinsurance Related Unsecured Claims	-	-
Less: Dividends	-	-
<b>Total Reinsurance Related Unsecured Claims</b>	<u>-</u>	<u>-</u>
<b>Total Class VI Claims</b>	-	-
<b>Class VII - Late Filed Claims:</b>		
Allowed Claims:	-	-
Less: Dividends	-	-
<b>Total Allowed Claims</b>	<u>-</u>	<u>-</u>
Non - Allowed Claims	-	-
<b>Total Class VII Claims</b>	-	-
<b>Class VIII - Section 1307 (Shareholder) Loans:</b>		
Allowed Claims:	-	-
Less: Dividends	-	-
<b>Total Allowed Claims</b>	<u>-</u>	<u>-</u>
Non - Allowed Claims	-	-
<b>Total Class VIII Claims</b>	-	-
<b>Class IX - Share Holder Claims:</b>		
Allowed Claims:	-	-
Less: Dividends	-	-
<b>Total Allowed Claims</b>	<u>-</u>	<u>-</u>
Non - Allowed Claims	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>
<b>Total Class IX Claims</b>	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>
<b>Other Liabilities</b>	-	-
<b>Total Liabilities</b>	<u>2,007,853</u>	<u>2,000,000</u>
<b>Liquidator's Surplus (Deficit)</b>	<u>(23,106)</u>	<u>6,354</u>
<b>Total Liabilities and Liquidator's Surplus (Deficit)</b>	<u>\$ 1,984,747</u>	<u>\$ 2,006,354</u>

**UHAB MUTUAL INSURANCE COMPANY**  
**STATEMENT OF CHANGES IN CASH AND INVESTED ASSETS**  
**FROM DECEMBER 16, 2014 TO JUNE 30, 2015**

<b>Receipts:</b>	
Investment Income	\$ 124
Premiums	-
Salvage and Subrogation	-
Miscellaneous	200
<b>Total Receipts</b>	<b>324</b>
<b>Disbursements:</b>	
Salaries	8,148
Employee Relations & Welfare	5,733
Rent and Related Expenses	1,758
Professional Fees	266
General and Administrative Expenses	3,498
Other Expense	2,528
<b>Total Disbursements</b>	<b>21,931</b>
<b>Net Increase (Decrease) of Receipts Over Disbursements</b>	<b>(21,607)</b>
<b>Cash and Invested Assets (Unrestricted), as of December 16, 2014</b>	<b>2,006,354</b>
<b>Unrealized Gain / (Loss) on Investments</b>	<b>-</b>
<b>Cash and Invested Assets (Unrestricted), as of June 30, 2015</b>	<b>\$ 1,984,747</b>

Index No. 452618

Year 2014

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

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In the Matter of

the Liquidation of

UHAB MUTUAL INSURANCE COMPANY.

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**ORDER TO SHOW CAUSE AND AFFIRMATION**

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**JOHN PEARSON KELLY**

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

*Office and Post Office Address, Telephone*

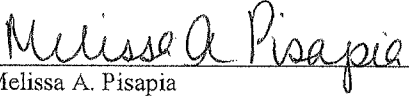
New York Liquidation Bureau  
110 William Street  
New York, NY 10038  
(212) 341-6755  
Fax (212) 608-3398

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**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: August 13, 2015  
New York, New York

  
Melissa A. Pisapia

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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.

, on

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

Dated:

Yours, etc.

**JOHN PEARSON KELLY**

Attorney for Acting 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) 341-6755  
Fax (212) 608 -3398