

EX PARTE MOTION OFFICE

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FOR THE PAYMENT
OF MOTION FEE
ONLY

At IAS Part 34 of the Supreme Court of the State of New York, County of New York, at the courthouse at 80 Centre Street, in the County, City and State of New York, on the ___ day of _____, 2017.

P R E S E N T:

HONORABLE CARMEN VICTORIA ST. GEORGE
JUSTICE, SUPREME COURT

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

FILED
NOV 14 2017
NEW YORK
COUNTY CLERK'S OFFICE

ms#4

In the Matter of
the Ancillary Receivership of

Index No.: 402669/03

ORDER TO SHOW CAUSE

VILLANOVA INSURANCE COMPANY.

Based on the affirmation, dated November 14, 2017 of Lauren M. Reber (the "Reber Affirmation") and exhibits attached thereto, Maria T. Vullo, Superintendent of Financial Services of the State of New York as ancillary receiver of the "Ancillary Receiver" of Villanova Insurance Company ("Villanova"), moves for an order substantially in the form annexed to the Reber Affirmation as Exhibit "1," *inter alia*, (i) approving the Ancillary Receiver's final report annexed to the Reber Affirmation as Exhibit "2" (the "Closing Report"), on the status of Villanova's ancillary receivership proceeding ("Ancillary Receivership") and the financial transactions delineated therein and (ii) closing the Ancillary Receivership;

N O F F E E

NOW, on motion of the Ancillary Receiver, and after due deliberation having been had thereon;

LET all policyholders, claimants, creditors and others interested in the affairs of Villanova show cause before this Court at IAS Part 34, Room 308, thereof, at the Courthouse

December 19th 2017 10:30AM
~~November 19th 2017~~ located at 80 Centre Street in the City, County and State of New York, on the ~~19th~~ day of ~~November~~ 2017 ("Return Date") at ~~10:30AM~~ o'clock in the ~~am~~ m., or as soon thereafter as counsel

can be heard, why an order, substantially in the form annexed to the Reber Affirmation as Exhibit "1," should not be made, pursuant to Article 74 of the New York Insurance Law: (1) approving the Closing Report and the financial transactions delineated therein; (2) authorizing the continuing payment of administrative expenses, including such expenses for the closing of the Ancillary receivership proceeding; (3) terminating and closing the Ancillary Receivership; (4) authorizing the New York Liquidation Bureau ("NYLB") to receive and disburse to the New York Property/Casualty Fund ("PC Fund") and New York Workers' Compensation Security Fund ("WC Fund") any distributions from the Acting Commissioner of the Pennsylvania Insurance Department in her capacity as "Statutory Liquidator" of Villanova in payment of amounts owed to the PC Fund and WC Fund without further application to this Court; (5) releasing and discharging the Ancillary Receiver, her 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 Ancillary Receivership; and (6) granting the Ancillary Receiver such other and further relief as this Court deems appropriate and just.

AND, sufficient cause having been alleged therefor, and this Court having found the form and method of notice specified herein to be reasonable and appropriate under the circumstances, it is hereby

ORDERED, that service of a copy of this Order to Show Cause and its supporting papers be made on the Statutory Liquidator by serving a copy thereof by overnight delivery upon the Jessica K. Altman, Acting Commissioner, Pennsylvania Insurance Department, Office of Liquidations, Rehabilitations and Special Funds, Capital Associates Building 901 North 7th Street, Harrisburg, PA 17102, on or before the ~~19th~~ 22nd day of ~~November~~ November, 2017; and it is further

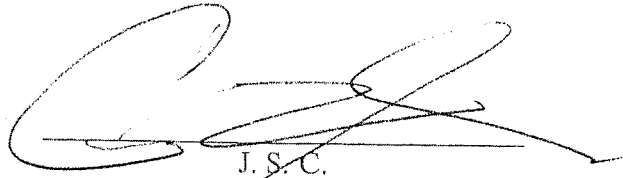
ORDERED, that the Ancillary Receiver shall also give notice of this Order to Show Cause and its supporting papers to Villanova's policyholders, claimants, creditors and other interested parties domiciled in the State of New York by: (i) posting this Order to Show Cause and the papers supporting it on the Internet web page maintained by the NYLB at <http://www.nylb.org> at least ~~fifteen (15)~~ ^{thirty, 30} days before the Return Date and (ii) publication of a notice, substantially similar to the notice annexed as Exhibit "3" to the Reber Affirmation, in *The New York Post*, or a newspaper of similar circulation, such publication to occur once a week over ~~two~~ ^{(2) two} consecutive weeks commencing within twenty (20) days following issuance of this Order to Show Cause, with such service to be deemed good and sufficient service; and it is further

ORDERED, that all answering papers, either in support or opposition to the relief sought, shall be filed with this Court on or before the Return Date and served on the Ancillary Receiver at the following address:

Superintendent of Financial Services of the State of New York
as Ancillary Receiver of Villanova Insurance Company
110 William Street, 15th Floor
New York, New York 10038
Attention: General Counsel

at least seven (7) days before the Return Date.

ENTER



J.S.C.

HON. CARMEN VICTORIA ST. GEORGE
J.S.C.