

MS# 17
OTHER

EX PARTE MOTION OFFICE

APPROVED
FOR THE PAYMENT
OF MOTION FEE
ONLY

At IAS Part 15 of the Supreme Court
of the State of New York, County of
New York, at the Courthouse located
at 71 Thomas Street, New York,
New York, on the 25 day of
JULY, 2015.

P R E S E N T:

HON. EILEEN A. RAKOWER, J.S.C.

In the Matter of

the Liquidation of

ATLANTIC MUTUAL INSURANCE COMPANY

FILED
JUL 09 2015
NEW YORK
COUNTY CLERK'S OFFICE

Index No.: 402424/10

ORDER TO SHOW CAUSE

Based on the annexed July 8, 2015 affirmation of Eric S. Hong, an attorney for the New York Liquidation Bureau (the "Affirmation"), the organization which carries out the duties of the Acting Superintendent of Financial Services of the State of New York, as liquidator (the "Liquidator") of Atlantic Mutual Insurance Company ("AMIC"), and 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 claimants and all interested in the affairs of AMIC show cause before this Court at the Courthouse located at 71 Thomas Street, ^{room 205} New York, New York, on the 25 day of AUGUST, 2015 (the "Return Date") at 11 o'clock a.m., or as soon thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law and substantially in the form attached as Exhibit D to the Affirmation: (i) approving the form of the Insurance Guaranty Association Early Access, Disbursement, Reimbursement and Refunding Agreement for Atlantic Mutual Insurance Company, attached as Exhibit A to the Affirmation (the "Early Access Agreement"), and the entry of the Liquidator

and the participating insurance guaranty associations (the "Guaranty Associations") into, and performance by the Liquidator and the Guaranty Associations of their obligations under, the Early Access Agreement; and (ii) authorizing the Liquidator to make disbursements to the Guaranty Associations in accordance with the Early Access Agreement;

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

ORDERED, that the notice of this Order to Show Cause and its supporting papers ("Notice"), substantially in the form attached as Exhibit E to the Affirmation, shall be made by:

- (i) first class mail, at least 30 days prior to the Return Date, upon Barbara F. Cox, Senior Vice President – Legal & Regulatory Affairs, National Conference of Insurance Guaranty Funds, Inc., 300 North Meridian Street, Suite 1020, Indianapolis, IN 46204;
- (ii) first class mail, at least 30 days prior to the Return Date, upon each Guaranty Association representative listed on Exhibit F to the Affirmation;
- (iii) first class mail, at least 30 days prior the Return Date, upon each state insurance commissioner (or other official with equivalent responsibilities) listed on Exhibit G to the Affirmation; and
- (iv) posting on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least 15 days prior to the Return Date; and such service shall be deemed good and sufficient service; and it is further

ORDERED, that all answering papers and supporting documentation, either in support or opposition to the relief sought ("Answering Papers"), be served on the Liquidator so as to be received at least seven days prior to the Return Date, and that service on the Liquidator shall be made by first class mail or overnight courier at the following address:

Acting Superintendent of Financial Services of the State of New York
as Liquidator of Atlantic Mutual Insurance Company
110 William Street
New York, New York 10038

Attention: General Counsel

and by submitting the original Answering Papers, with affidavit of service on the Liquidator as above, to this Court at the Courthouse located at 71 Thomas Street, New York, New York, 10013 at least seven days prior to the Return Date.

ENTER:

JUL 15 2015



J.S.C.

HON. EILEEN A. RAKOWER