

At IAS Part 56 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 9th day of November, 2023.

PRESENT :

HON. JOHN J. KELLEY, J. S. C.

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In the Matter of

Index No.: 452041/16

the Liquidation of

ORDER TO SHOW CAUSE

AMERICAN MEDICAL AND LIFE INSURANCE COMPANY.
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MS#4 Confirm Report

Upon the November 7, 2023, affirmation of Victor J. D'Angelo ("D'Angelo Aff."), an attorney with the New York Liquidation Bureau ("NYLB"), which serves as the staff for Adrienne A. Harris, Superintendent of the Department of Financial Services of the State of New York, in her capacity as liquidator ("Liquidator") of American Medical and Life Insurance Company ("AMLIC"), for an order, *inter alia*, approving the Liquidator's report on the status of, and request to close, AMLIC's liquidation proceeding ("Closing Report"), and the financial transactions detailed therein, and upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of Stephanie Blattmachr, attorney for the Liquidator, and after due deliberation having been had thereon;

LET all policyholders, creditors, claimants and others interested in the affairs of AMLIC or counsel appear and show cause before this Court at the Courthouse located at 71 Thomas Street, ON PAPERS ONLY, WITHOUT ORAL ARGUMENT OR PERSONAL APPEARANCE at IAS Part 56 thereof, in the County, City and State of New York, ~~XXXXXX~~

~~XXXX~~, on the 12th day of December, 2023, at 10 o'clock a.m. ("Return

Date”), or as soon thereafter as counsel can be heard, why an order substantially in the form of the proposed order attached as Exhibit 1 to the D’Angelo Aff. should not be made, pursuant to Article 74 of the New York Insurance Law (“Insurance Law”), *inter alia*, (i) approving the Closing Report and the financial transactions detailed therein, annexed as Exhibit 2 to the D’Angelo Aff.; (ii) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the AMLIC liquidation proceeding, including such expenses pertaining to the closing of the liquidation proceeding; (iii) authorizing the Liquidator to distribute AMLIC’s assets, consistent with the priorities set forth in Insurance Law § 7435, to those former policyholders and creditors of AMLIC with allowed claims; (iv) terminating and closing the liquidation proceeding; (v) authorizing the Liquidator to receive and disburse, without further application to this Court, any receipts that are received after the termination of the liquidation proceeding; (vi) authorizing the Liquidator, after termination of the liquidation proceeding and without further order of this Court, to destroy or otherwise dispose of any and all of the books, files, records (paper or electronic) and other property of the AMLIC estate; (vii) releasing and discharging the Liquidator, 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 liquidation proceeding; and (viii) for such other and further relief that this Court deems just and proper;

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

ORDERED, that service of this Order to Show Cause and its supporting papers shall be deemed good and proper service if served by posting the Order to Show Cause and its supporting papers on the NYLB Internet web page at <https://www.nylb.org/home.htm>, under Legal and Estate Notices, within five (5) days following the Liquidator's receipt of a signed copy of the Order to Show Cause; and it is further

ORDERED, that answering papers, either in support of or opposition to the relief sought herein ("Answering Papers"), shall be served on the Liquidator via email to legal@nylb.org so as to be received 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 the New York State Courts Electronic Filing system on or before the Return Date.

ENTER:



JOHN J. KELLEY, J.S.C.

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