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At IAS Part 37 of the Supreme Court of the State of New York, County of New York, at the Courthouse located at 60 Centre Street, New York, New York, on the 10 day of September 2021.

MS003

PRESENT:

HON. ARTHUR F. ENGORON, J.S.C.

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

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In the Matter of

Index No.: 450297/2019

the Liquidation of

ORDER TO SHOW CAUSE

ATLANTIS HEALTH PLAN, INC.
-----X

Upon the September 7, 2021, affirmation of Melissa A. Pisapia ("Pisapia Aff"), an attorney with the New York Liquidation Bureau ("NYLB"), which serves as the staff for Shirin Emami, Acting Superintendent of the Department of Financial Services of the State of New York in her capacity as liquidator ("Liquidator") of Atlantis Health Plan, Inc. ("Atlantis") for an order approving, *inter alia*, the Liquidator's report to the Court on the status of the Atlantis liquidation proceeding ("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 Atlantis or counsel appear and show cause before this Court at IAS Part 37, thereof, at the Courthouse located at 60 Centre Street, in the County, City and State of New York, on the ~~10~~ ^{13th} day of Oct., 2021 at 11 o'clock a.m. ("Return Date") or as soon thereafter as counsel can be

Via
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Teams

heard, why an order substantially in the form as the proposed order attached as Exhibit "1" to the Pisapia Aff, should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*

(i) approving the Liquidator's Report and the financial transactions detailed therein;

(ii) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the Atlantis liquidation proceeding; (iii) authorizing the Liquidator to distribute Atlantis' assets to claimants with allowed claims to the extent that, in the Liquidator's discretion, sufficient funds are available, and as consistent with this Court's orders and in the order of priority set forth in Insurance Law 7434; and (iv) and granting such other and further relief as the Court may deem 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 the Liquidator provide notice of this application by posting this Order to Show Cause and its supporting on the Internet web page maintained by the NYLB at <http://www.nylb.org> at least fifteen (15) days before the Return Date; and it is further

ORDERED, that any answering papers in support of or in opposition to this application ("Answering Papers") be served so as to be received by the Superintendent at least 7 days prior to the Return Date, that such service shall be made at the following addresses:

New York Liquidation Bureau
180 Maiden Lane, 15th Floor
New York, New York 10038
Attention: General Counsel

and that the Answering Papers be filed with this Court on or before the Return Date.

ENTER:

A handwritten signature, appearing to be 'AE', is enclosed within a hand-drawn circle.

J.S.C.

HON. ARTHUR F. ENGORON

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