

At the Supreme Court of the State of New York, County of Broome, at the courthouse located at 92 Court Street, Binghamton, New York, on the 13 day of October, 2024.

P R E S E N T:

HON. JOSEPH A. McBRIDE, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BROOME

-----x

In the Matter of

INDEX NO.: EFCA2024001871

the Rehabilitation of

**ORDER TO SHOW CAUSE**

COLUMBIAN MUTUAL LIFE INSURANCE COMPANY.

-----x

Upon the October 3, 2024, affirmation of Melissa A. Pisapia (“Pisapia 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 rehabilitator (“Rehabilitator”) of Columbian Mutual Life Insurance Company (“CML”), for an order, *inter alia*, authorizing the Rehabilitator to enter into a contract substantially in the form of the State University of New York Land Purchase Agreement (“Contract”), a copy of which is attached to the Pisapia Aff. as Exhibit A, for the sale of real property owned by CML, and upon all other papers previously submitted and all proceedings heretofore had herein;

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

LET all policyholders, creditors, claimants and others interested in the affairs of CML or counsel appear and show cause before this Court, ~~at the Courthouse located at 92 Court Street, Binghamton, New York,~~ on the 13 day of December, 2024 at 9:45 o'clock a.m., or remotely via Microsoft Teams or as soon as counsel can be heard (“Return Date”), why an order,

substantially in the form of the proposed order attached as Exhibit B to the Pisapia Aff., should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*: (i) authorizing the Rehabilitator to enter into a Contract substantially in the form of the Contract annexed as Exhibit A to the Pisapia Aff., which provides for the sale of the real property owned by CML located at 4 Vestal Avenue, City of Binghamton, Broome County, New York 13903 (“Parcel 1”), 4736 Vestal Parkway East, Town of Vestal, Broome County, New York 13850 (“Parcel 2”), and 4740 Vestal Parkway East, Town of Vestal, County of Broome, New York 13850 (“Parcel 3”, and collectively with Parcel 1 and Parcel 2, the “CML Property”) to the Trustees of the State University of New York (“SUNY Binghamton”) for \$5,500,000; (ii) authorizing the Rehabilitator to execute all necessary closing documents and take the necessary steps to effect, carry out and consummate the sale of the CML Property to SUNY Binghamton; and (iii) providing for such other and further relief as this 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 Rehabilitator shall provide notice of this application by (i) posting the Order to Show Cause and its supporting papers on the Internet web page maintained by the NYLB at <http://www.nylb.org> under Legal and Estate Notices, within five (5) days following the entered Order to Show Cause is posted to the New York Courts Electronic Filing (“NYSCEF”) system; (ii) mailing same by overnight delivery upon (a) Binghamton University, 4400 Vestal Parkway East, Binghamton, New York 13902, Couper Administration Building, Suite 707, Attn: John Cordi, CFO and Sr. Associate Vice President, and (b) Kevin Hayden, Chief Campus Counsel, Binghamton University, 4400 Vestal Parkway East, Couper Administration Building, Suite 614,

Binghamton, NY 13902, within ten (10) days following the entered Order to Show Cause is posted to the NYSCEF system; 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 Rehabilitator at least seven (7) days prior to the Return Date, that such service shall be made at the following email address:

New York Liquidation Bureau  
[legal@nylb.org](mailto:legal@nylb.org)

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

ENTER

10/15/24   
J. S. C.