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At IAS Part 42 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 60 Centre Street, in the County, City and State of New York, on the 27 day of Oct, 2023.

PRESENT:

HON. NANCY M. BANNON, 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.: 160307/2014

the Liquidation of

ORDER TO SHOW CAUSE

EVEREADY INSURANCE COMPANY.

MS #6 Other- Approve Closing Report

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Upon the October 26, 2023, 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 Financial Services of the State of New York in her capacity as liquidator ("Liquidator") of Eveready Insurance Company ("Eveready") for an order approving, *inter alia*, the Liquidator's report to the Court on the status of and request to close the Eveready 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

WB
Eveready or counsel appear and show cause before this Court at IAS Part 42, thereof, at the Courthouse located at 60 Centre Street, New York, New York, on the 30th day of Nov 2023, at 2:30 PM ("Return Date") or as soon thereafter as counsel can be 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 Closing Report and the financial transactions detailed therein; (ii) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator, if any, including such expenses pertaining to the closing of the Eveready liquidation proceeding; (iii) terminating and closing the liquidation proceeding; (iv) authorizing the NYLB to continue, after the termination of the Eveready liquidation proceeding and without further order of this Court, to receive any additional assets of Eveready that may be located, and to use such assets, first, to pay all administrative expenses incurred in connection with the collection and disbursement of such additional assets, and then to distribute those assets to the New York Property/Casualty Insurance Security Fund and New York Public Motor Vehicle Liability Security Fund as the only Class two creditors of Eveready with allowed claims that are eligible to share in a *pro rata* distribution; (v) authorizing the NYLB, after termination of the Eveready 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 Eveready estate; and (vi) releasing and discharging the Liquidator, her predecessors and successors in office, the NYLB, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the liquidation proceeding.

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 the Liquidator shall give notice of this application by posting this Order to Show Cause and its supporting papers on the Internet web page maintained by the NYLB at <http://www.nylb.org> within five (5) days of the entered Order to Show Cause being posted to the New York State Electronic Court Filing ("NYSCEF") system; and it is further

ORDERED, that answering papers, either in support of or opposition to the relief sought herein (the "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 e-filed with the Court on the NYSCEF system on or before the Return Date.

ENTER:


J.S.C. 10-27-23
HON. NANCY M. BANNON

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~~L 32703/Closing Eveready~~