

**SHORT FORM ORDER**

**SUPREME COURT OF THE STATE OF NEW YORK - QUEENS COUNTY**

|   |                                 |
|---|---------------------------------|
| Present: HONORABLE LOURDES M. VENTURA, J.S.C. | IAS Part 37                     |
| -----X  | Index                           |
| In the Matter of                              | Number: <u>703264/2017</u>      |
| <br>The Liquidation of                        | <br>Motion                      |
| <br>FIDUCIARY INSURANCE COMPANY OF AMERICA.   | <br>Date: <u>March 13, 2023</u> |
| -----X  | Motion                          |
|   | Seq. No.: <u>974</u>            |


The following electronically filed (EF) papers read on this order to show cause by the petitioner Fiduciary Insurance Company of America for an Order pursuant to Article 74 of the New York Insurance Law, inter alia, (1) approving the Initial 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 Fiduciary liquidation proceeding; and (iii) authorizing the Liquidator to distribute Fiduciary’s assets, consistent with this Court’s orders and the priorities set forth in New York Insurance Law Section 7434, to those creditors of Fiduciary with allowed claims, to the extent that, in the Liquidator’s discretion, sufficient funds are available.

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| Order to Show Cause - Affirmation - Exhibits..... | Papers<br><u>Numbered</u><br>EF 8604-8606<br>8941 |
|---|---|

Upon the foregoing documents, it is hereby ORDERED that this order to show cause is GRANTED pursuant to this Court’s signed Order dated June 14, 2023.

This shall constitute the Decision and Order of the Court.

Date: June 15, 2023

  
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HON. LOURDES M. VENTURA, J.S.C.

FILED  
6/15/2023  
COUNTY CLERK <sup>CA C</sup>  
QUEENS COUNTY

At IAS Part 37 of the Supreme Court of the State of New York, Civil Term, County of Queens, at the Courthouse, 89-17 Sutphin Blvd., Jamaica, in the County of Queens, City and State of New York, on the 14th day of June, 2023.

P R E S E N T :

HON. LOURDES M. VENTURA, J. S. C.

-----X

In the Matter of

Index No.: 703264/2017

the Liquidation of

**ORDER**

FIDUCIARY INSURANCE COMPANY OF AMERICA.

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Upon the motion of the Superintendent of Financial Services of the State of New York, as liquidator (“Liquidator”) of Fiduciary Insurance Company of America (“Fiduciary”) for an order, *inter alia*: (a) approving the Liquidator’s report on the status of the Fiduciary liquidation proceeding and the financial transactions detailed in the report (the “Initial Report”), a copy of which is annexed as Exhibit “2” to the affirmation of Melissa A. Pisapia; (b) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the Fiduciary liquidation proceeding; and (c) authorizing the Liquidator to distribute Fiduciary’s assets to those creditors of Fiduciary with allowed claims as consistent with this Court’s orders and the priorities set forth in New York Insurance Law Section 7434, to the extent that, in the Liquidator’s discretion, sufficient funds are available.

NOW, on the motion of the Liquidator, and no opposition having been filed with the Court, it is;

ORDERED, that the motion is granted; and it is further

ORDERED, that the Initial Report and the financial transactions detailed in such report are approved; and it is further

ORDERED, that continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the Fiduciary liquidation proceeding is authorized; and it is further

ORDERED, that the distribution of Fiduciary's assets, consistent with this Court's orders and the priorities set forth in New York Insurance Law Section 7434, to those creditors of Fiduciary with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available, is authorized.

Dated: June 15, 2023

E N T E R



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HON. LOURDES M. VENTURA, J.S.C.