

At IAS Part 35 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 60 Centre Street, New York, NY. on the 26th day of October, 2021.

P R E S E N T:

HON. CAROL EDMEAD, J.S.C.

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

*MS # 8 : OTHER -  
APPROVE  
ADJUDICATION  
PROCEDURES*

-----X

Index No. 450500/2016

In the Matter of

the Liquidation of

**ORDER TO SHOW CAUSE**

HEALTH REPUBLIC INSURANCE OF  
NEW YORK, CORP.

-----X

Upon the October 25, 2021, affirmation of David Axinn (the "Axinn Aff") in support of the application of Adrienne A. Harris, Acting Superintendent of Financial Services of the State of New York in her capacity as Liquidator ("Liquidator") of Health Republic Insurance of New York, Corp. ("Health Republic") for an order, substantially in the form of the order annexed to the Axinn Aff as Exhibit A, approving adjudication procedures (the "Procedure") for the determination of claims against Health Republic other than claims for administrative expenses under Class One as set forth in Insurance Law Section 7434(a)(1)(i) and claims under policies under Class Two as set forth in Insurance Law Section 7434(a)(1)(ii) (collectively, "Non-Class Two Claims"), and (ii) appointing the Honorable Anthony J. Carpinello as Referee to hear and report on objections to the Liquidator's determination of Non-Class Two Claims, as more thoroughly detailed in the Axinn Aff and in the exhibits annexed thereto;

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

LET all policyholders, creditors and others interested in the affairs of Health Republic or counsel appear and show cause before this Court at IAS Part 35 at the Courthouse located at 60

Centre Street, New York, N.Y. on the 10th day of December, 2021 (the "Return Date") at 10  
o'clock a.m., or as soon thereafter as counsel can be heard, why an order should not be made,

pursuant to Article 74 of the New York Insurance Law, *inter alia*, (1) approving the Procedure to  
determine Non-Class Two Claims and (2) appointing the Honorable Anthony J. Carpinello to serve  
as referee to hear and report on any disputes arising from the Liquidator's determination of Non-

Class Two Claims, all as more thoroughly set forth in the Axinn Aff. *and for such other  
and further relief this court deems just and proper.*

AND, sufficient cause having been alleged therefor, and after due deliberation, 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 Health Republic Internet web page at  
[www.healthrepublic.org](http://www.healthrepublic.org) and the New York Liquidation Bureau Internet web page at  
<http://www.nylb.org> at least fifteen (15) days before the Return Date; 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 by filing on the Court's electronic filing system,  
and e-mailing to the New York Liquidation Bureau, Attn: General Counsel [legal@nylb.org](mailto:legal@nylb.org) 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 or before the Return Date, and it is further

ORDERED that no reply is allowed.

ENTER:

  
HON. CAROL R. EDMEAD  
J.S.C.  
J.S.C.