

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

PRESENT: HON. LYLE E. FRANK PART 11M

Justice

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MARIA T. VULLO,

Plaintiff,

- v -

HEALTH REPUBLIC INSURANCE OF NEW YORK CORP.,

Defendant.

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INDEX NO. 450500/2016
MOTION DATE N/A
MOTION SEQ. NO. 010

DECISION + ORDER ON MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 010) 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241

were read on this motion to/for MISC. SPECIAL PROCEEDINGS.

Upon the motion of the Superintendent of the Department of Financial Services of the State of New York, as liquidator (“Liquidator”) of Health Republic Insurance of New York, Corp. (“Health Republic”), for an order, inter alia: (i) approving the Liquidator’s report on the status of and request to close the Health Republic liquidation proceeding (“Closing Report”), and the financial transactions detailed therein, annexed as Exhibit 2 to the affirmation of Holly Sutton; (ii) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the Health Republic liquidation proceeding, including such expenses pertaining to the closing of the liquidation proceeding; (iii) authorizing the Liquidator to distribute Health Republic’s assets, consistent with the priorities set forth in Insurance Law § 7434, to those former policyholders and creditors of Health Republic with allowed claims; (iv) terminating and closing the liquidation proceeding; (v) authorizing the Liquidator to receive and disburse, without further application to this Court, any receipts that are received after the termination of the liquidation proceeding; (vi) authorizing the Liquidator, after termination of the 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 Health Republic estate; (vii) releasing and discharging the Liquidator, her predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the liquidation proceeding; and (viii) for such other and further relief that this Court deems just and proper;

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

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

ORDERED, that the Closing Report and the financial transactions detailed therein are approved; and it is further

ORDERED, that continued payment of actual and necessary administrative expenses, if any, including such expenses pertaining to the closing of the Health Republic liquidation proceeding, is authorized; and it is further

ORDERED, that the Liquidator is authorized to distribute Health Republic's assets, consistent with the priorities set forth in Insurance Law § 7434, to those former policyholders and creditors of Health Republic with allowed claims; and it is further

ORDERED, that the liquidation proceeding is terminated and closed; and it is further

ORDERED, that the Liquidator's receipt and disbursement, without further application to this Court, of any receipts that are received after the termination of the liquidation proceeding, is authorized; and it is further

ORDERED, that the Liquidator, after termination of the liquidation proceeding and without further order of this Court, is authorized to destroy or otherwise dispose of any and all of

the books, files, records (paper or electronic) and other property of the Health Republic estate;
and it is further

ORDERED, that the Liquidator, her predecessors and successors in office, and their
agents, attorneys and employees, are released and discharged from any and all liability arising
from their acts or omissions in connection with the liquidation proceeding.

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11/2/2023

DATE

LYLE E. FRANK, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE