

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

EA
12/23/13
E

DORIS LING-COHAN

PRESENT: _____

PART 36

FILED

*In the Matter of
the Conservation of
the Trust Funds of
Legion Indemnity Company.*

DEC 23 2013

COUNTY CLERK'S OFFICE
NEW YORK

INDEX NO. 402667/03

MOTION DATE = _____

MOTION SEQ. NO. 003

The following papers, numbered 1 to _____, were read on this motion to/for _____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____ | No(s). _____

Answering Affidavits — Exhibits _____ | No(s). _____

Replying Affidavits _____ | No(s). _____

Upon the foregoing papers, it is ordered that this ~~motion is~~ order to show cause is granted upon default in accordance with the attached order, dated 12/18/13.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

RECEIVED
DEC 23 2013
JCS MOTION SUPPORT OFFICE
1155 SUPREME COURT-CIVIL

12/18/13

[Signature]

Dated: _____

_____, J.S.C.

DORIS LING-COHAN

1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
- DO NOT POST FIDUCIARY APPOINTMENT REFERENCE

At IAS Part 36 of the Supreme Court of the State of New York, County of New York, at the Courthouse 60 Centre Street, County, City and State of New York, on the 18 day of Dec, 2013.

P R E S E N T:

HON. DORIS LING-COHAN, J. S. C.

-----X
In the Matter of

the Conservation of

the Trust Funds of

LEGION INDEMNITY COMPANY
-----X
COUNTY CLERK'S OFFICE
NEW YORK

Index No.: 402667/03

ORDER

FILED

DEC 23 2013

Jack A. Franceschetti, an attorney with the New York Liquidation Bureau (the "Bureau"), the entity that carries out the duties of Benjamin M. Lawskey, Superintendent of Financial Services of the State of New York as conservator (the "Conservator") of Legion Indemnity Company ("Legion Indemnity"), having moved this Court for an order: (a) approving the conservation agreement ("Conservation Agreement") dated December 4, 2008, between Michael T. McRaith, the then Director of Insurance of the State of Illinois as liquidator of Legion Indemnity ("Liquidator") and the Conservator; (b) authorizing the Conservator to distribute the Trust Fund to the Liquidator in accordance with the terms of the Conservation Agreement; (c) terminating this conservation proceeding upon distribution of the Trust Fund to the Liquidator without further order of this Court (d) upon distribution of the assets in accordance with the terms of the Conservation Agreement, the Conservator, his predecessors and successors in office, his agents, attorneys and employees will be discharged and released from any and all further liability arising out of this proceeding; and (e) authorizing and directing the Conservator, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other

property of Legion Indemnity in his possession without further order of this Court; and (e) providing for such other and further relief as this Court deems just and proper.

NOW, upon reading the Affirmation, dated October 9, 2013, due proof of service thereof upon the Liquidator of Legion Indemnity, and due deliberation having been had thereon, and upon the decision of this Court;

NOW, on application of John Pearson Kelly, attorney for the Liquidator, it is

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

ORDERED, that the Conservation Agreement is approved; and it is further

ORDERED, that the Conservator is authorized to distribute the Trust Fund to the Liquidator in accordance with the Conservation Agreement; and it is further

ORDERED, that the within Conservation Proceeding is terminated and closed upon distribution of the Trust Fund to the Liquidator without further order of this Court, and it is further

ORDERED, the Conservator, his predecessors and successors in office, agents, attorneys and employees, upon distribution of the Trust Fund in accordance with the terms of the Conservation Agreement, are released and discharged from any and all liability arising from their acts and omissions in connection with the Conservation Proceeding; and it is further

ORDERED, that the Conservator is authorized and directed to destroy or otherwise dispose of any and all books, files, records and other property of Legion Indemnity without further order of this Court.

FILED

ENTER

DEC 23 2013

COUNTY CLERK'S OFFICE
NEW YORK

[Handwritten signature]
JUDITH DORIS LINDO COHAN
J.S.C.

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

In the Matter of
the Conservation of
the Trust Funds of

LEGION INDEMNITY COMPANY.

ORDER

JOHN PEARSON KELLY

Attorney for Superintendent of Financial Services of the State of New York as Liquidator

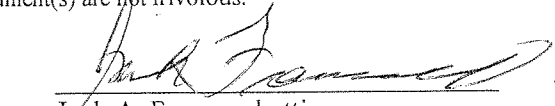
Office and Post Office Address, Telephone

New York Liquidation Bureau
110 William Street
New York, NY 10038
(212) 341-6755
Fax (212) 608-3398

ATTORNEY CERTIFICATION

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information, belief and reasonable inquiry, the contentions in the above referenced document(s) are not frivolous.

Dated: December 17, 2013
New York, New York


Jack A. Franceschetti

NOTICE OF ENTRY

that the within is a *(certified)* true copy of a
duly entered in the office of the clerk of the within named court on the day of 20

NOTICE OF SETTLEMENT

that an order
settlement to the HON.

of which the within is a true copy will be presented for
one of the judges of the within named court, at
20 at

Dated:

, on

Yours, etc.

JOHN PEARSON KELLY

Attorney for Superintendent of Financial Services
of the State of New York as Conservator

Office and Post Office Address, Telephone

New York Liquidation Bureau
110 William Street
New York, NY 10038
(212) 341-6755
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