

**IN THE MATTER OF THE LIQUIDATION OF  
NEW YORK SURETY COMPANY  
Supreme Court County of Nassau  
Index No.: 17005/98**

**NOTICE**

Pursuant to an order of the Supreme Court of the State of New York, County of Nassau (“Court”), entered on September 21, 1998 (“Liquidation Order”), the then-Superintendent of Insurance of the State of New York and his successors in office were appointed as liquidator (“Liquidator”) of New York Surety Insurance Company (“NYSCO”) and, as such, has been directed to take possession of NYSCO’s property, liquidate its business and affairs, and dissolve its corporate charter pursuant to Article 74 of the New York Insurance Law (“Insurance Law”). The Superintendent of Financial Services of the State of New York has now succeeded the Superintendent of Insurance as Liquidator of NYSCO. The Liquidator has, pursuant to Insurance Law Article 74, appointed Jonathan L. Bing, Special Deputy Superintendent of Financial Services (“Special Deputy”), as his agent to liquidate the business of NYSCO. The Special Deputy carries out his duties through the New York Liquidation Bureau, 110 William Street, New York, New York 10038. The Liquidator has submitted to the Court a verified petition (“Verified Petition”) seeking an order: (i) approving the Liquidator’s initial report on the status of the liquidation of NYSCO (“Initial Report”) and the financial transactions delineated therein; (ii) establishing March 31, 2012 as the bar date (“Bar Date”) for presentment of all claims other than claims for administrative costs and expenses; (iii) authorizing and directing the Liquidator to consider only those claims for actual losses arising under policies issued by NYSCO that are presented to the Liquidator on or before the Bar Date; (iv) barring and discharging all claims for losses reported after the Bar Date; (v) authorizing the continued payment of administrative costs and expenses; (vi) authorizing the Liquidator to distribute NYSCO’s assets, consistent with this Court’s orders and the priorities set forth in Insurance Law Section 7434, to those creditors of NYSCO with allowed claims, to the extent that, in the Liquidator’s discretion, sufficient funds are available; (vii) extending judicial immunity to the Superintendent in his capacity as Liquidator of NYSCO, his successors in office and their agents and employees, for any cause of action of any nature against them, individually or jointly, for any act or omission when acting in good faith, in accordance with the orders of this Court, or in the performance of their duties pursuant to Insurance Law Article 74; and (viii) granting such other and further relief as this Court deems appropriate and just.

A hearing is scheduled on the Verified Petition on the 16<sup>th</sup> day of March, 2012, at 9:30 a.m., before the Honorable Thomas P. Phelan, JSC, New York Supreme Court at the Courthouse, IAS Part 2, 100 Supreme Court Drive, Mineola, New York 11501. If you wish to object to the Verified Petition, you must serve a written statement setting forth your objections and all supporting documentation upon the Liquidator and Clerk of the Court, at least seven business days prior to the hearing. Service on the Liquidator shall be made by first class mail at the following address:

Superintendent of Financial Services of the State of New York as  
Liquidator of New York Surety Company  
110 William Street  
New York, New York 10038  
Attention: John Pearson Kelly  
General Counsel

In order to participate in NYSCO’s liquidation proceeding, all claims, with all supporting documentation, must be presented to the Liquidator on or before the Bar Date, which is the last date set by the Court to present claims in NYSCO’s liquidation proceeding.

The Verified Petition and Initial Report are available for inspection at the above address. In the event of any discrepancy between this notice and the documents submitted to Court, the documents control.

Requests for further information should be directed to the New York Liquidation Bureau, Creditor and Ancillary Operations Division, at (212) 341-6665.

Dated: January 18, 2012

Benjamin M. Lawsky  
Superintendent of Financial Services of the  
State of New York as Liquidator of  
New York Surety Company