

**IN THE MATTER OF THE LIQUIDATION OF  
U.S. CAPITAL INSURANCE COMPANY  
Supreme Court County of New York  
Index No.: 403176/97**

**NOTICE**

Pursuant to an order of the Supreme Court of the State of New York, County of New York (the "Court"), entered November 20, 1997 ("Liquidation Order"), the then-Superintendent of Insurance of the State of New York and his successors in office were appointed as liquidator ("Liquidator") of U.S. Capital Insurance Company ("U.S. Capital") and, as such, has been directed to take possession of U.S. Capital'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 U.S. Capital. The Liquidator has, pursuant to Insurance Law Article 74, appointed Jonathan L. Bing, Special Deputy Superintendent ("Special Deputy"), as his agent to liquidate the business of U.S. Capital. 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 U.S. Capital ("Initial Report") and the financial transactions delineated therein; (ii) authorizing the continued payment of administrative costs and expenses; (iii) authorizing the Liquidator to distribute U.S. Capital's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of U.S. Capital with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; (iv) extending immunity to the Superintendent in his capacity as Liquidator of U.S. Capital, and 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 (v) granting such other and further relief as this Court deems appropriate and just.

**The hearing on the Verified Petition has be adjourned to the 7th day of February, 2012, at 10 a.m., before the Honorable Richard B. Lowe III, JSC, New York Supreme Court at the Courthouse, IAS Part 56, Room 408, 60 Centre Street, New York, New York 10007.** 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 U.S. Capital Insurance Company  
110 William Street  
New York, New York 10038  
Attention: John Pearson Kelly  
General Counsel

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 11, 2011

Benjamin M. Lawsky  
Superintendent of Financial Services  
of the State of New York as Liquidator of  
U.S. Capital Insurance Company