

At IAS Part 56 of the Supreme Court of the State of New York, County of New York, at the Courthouse at 71 Thomas Street, in the County, City and State of New York, on the 6th day of September, 2023.

P R E S E N T:

HON. JOHN J. KELLEY, J.S.C.
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of

the Ancillary Receivership of

UNITED PROPERTY & CASUALTY INSURANCE
COMPANY

-----X

*MS# 2 - other -
approve procedure*

Index No.: 450746/2023

ORDER TO SHOW CAUSE

Based on the August 31, 2023, affirmation of Yuanzhou Wu ("Affirmation") in support of the application of Adrienne A. Harris, Superintendent of the Department of Financial Services of the State of New York, as ancillary receiver ("Ancillary Receiver") of United Property & Casualty Insurance Company ("UPC") and administrator ("Administrator") of the New York Property/Casualty Insurance Security Fund and the New York Public Motor Vehicle Liability Security Fund (together, the "Security Funds") for an order, substantially in the form of the order annexed as Exhibit A to the Affirmation, setting forth adjudication procedures in this ancillary receivership proceeding;

NOW, on motion of the Ancillary Receiver,

LET all policyholders, creditors and others interested in the affairs of UPC or counsel appear and show cause before this Court at IAS Part 56, Courtroom 304, at the Courthouse located at 71 Thomas Street, New York, New York, via videoconference (Microsoft Teams), on the 26th day of September, 2023 (the "Return Date") at 10 o'clock a.m., or as soon thereafter as

on papers only, without oral argument or personal appearance, 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 a procedure for judicial review of the Administrator's adjudication of claims under UPC policies that are presented for payment from the Security Funds in this proceeding; (2) appointing a referee to hear and take evidence on issues raised by claimants' objections to the Administrator's determinations, and to report thereon to this Court, which thereafter, on motion, may confirm or deny any decision issued by the court-appointed referee; and (3) granting such other and further relief as may be just and proper.

AND, sufficient cause having been alleged therefor, and after due deliberation, it is hereby

ORDERED, that notice of the Ancillary Receiver's application for adjudication procedure shall be made by posting this Order to Show Cause and the papers in support of the application on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least fifteen (15) days before the Return Date; and it is further

ORDERED, that the form and method of service of notice specified herein are hereby approved and shall constitute due and sufficient notice to all persons and entities entitled to receive such notice; and it is further

ORDERED, that answering papers, either in support of or in opposition to the relief sought herein ("Answering Papers"), shall be served on the Ancillary Receiver via email to legal@NYLB.org so as to be received at least seven (7) days prior to the Return Date, and any Answering Papers, together with an affidavit of service, shall be e-filed with the Court on the New York State Courts Electronic Filing System on or before the Return Date.

ENTER:



JOHN J. KELLEY, J.S.C.