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At IAS Part 23 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 60 Centre Street, in the County, City and State of New York, on the 3<sup>rd</sup> day of June, 2013.

P R E S E N T:

HON. RICHARD F. BRAUN, J.S.C.

13M13404

In the Matter of

Index No.: 401396/12

the Liquidation of

ORDER TO SHOW CAUSE

WASHINGTON TITLE INSURANCE COMPANY

AMENDED

Based on the verified petition ("Verified Petition") of Mary Jo Marchisello, Assistant Special Deputy Superintendent and Agent of Benjamin M. Lawsky, Superintendent of Financial Services of the State of New York, as liquidator ("Liquidator") of Washington Title Insurance Company ("Washington Title"), duly verified the 29<sup>th</sup> day of May, 2013, and the exhibit attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein, and it appearing that the relief sought should be granted;

RECEIVED

MAY 29 2013  
NEW YORK  
COUNTY CLERK'S OFFICE

NOW, on motion of John Pearson Kelly, attorney for the Liquidator, and after due deliberation having been had thereon,

LET all claimants and persons or entities interested in the affairs of Washington Title appear and show cause before this Court at IAS Part 23 thereof, at the Courthouse located at 60 Centre Street, in the County, City and State of New York, on the 29<sup>th</sup> day of August, 2013 ("Return Date") at 10 o'clock 9 .m., or as soon thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), *inter*

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*alia:* (i) approving the Liquidator's report on the status of the Washington Title liquidation proceeding and the financial transactions delineated therein; (ii) terminating all insurance policies issued by Washington Title, effective as of 12:01 a.m. on July 1, 2013; (iii) establishing July 31, 2013 as the bar date ("Bar Date") for presentment of all claims to the Liquidator, other than claims for administrative expenses; (iv) authorizing and directing the Liquidator to consider for allowance only those claims for actual losses incurred and arising under policies issued by Washington Title that are presented to the Liquidator on or before the Bar Date; (v) barring and discharging all claims, other than claims for administrative expense, reported after the Bar Date; (vi) authorizing the continued payment of administrative expenses; (vii) authorizing the Liquidator to distribute Washington Title's assets, consistent with this Court's orders and the priorities set forth in Insurance Law Section 7434, to those creditors of Washington Title with allowed claims, to the extent that, in the Liquidator's discretion, sufficient funds are available; and (viii) providing for such other and further relief as this Court deems appropriate and just;

AND, sufficient cause having been alleged therefor, and this Court having found the form and method of notice specified herein to be the best notice practicable, it is hereby

ORDERED, that notice of the Verified Petition and this Order to Show Cause shall be substantially in the form attached hereto and service shall be made by: (i) posting on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least fifteen days prior to the Return Date; and (ii) publication in the following newspapers: *New York Post*, *Newsday*, Long Island Edition, *The Journal News*, *Times Union*, *The Post-Standard* (Syracuse, New York), *The Buffalo News*, such publications to occur once a week for two consecutive weeks and, in the following trade publication: *Business Insurance*, or a publication of similar circulation, such publication to occur in two consecutive publications and, all

*VPB* publications shall commence within thirty days of the issuance of this Order to Show Cause; and  
it is further

*and amount to reasonable fee  
CJ/K/A  
June 6, 2013*

ORDERED, that the form and methods of service of notice specified herein are hereby approved as in accordance with the law and as the best notice practicable and shall therefore constitute due and sufficient notice of this Order to Show Cause and scheduled Return Date herein and the Verified Petition and the relief sought therein to all persons or entities entitled to receive such notice; and it is further

ORDERED, that the approved form of notice shall direct that all answering papers and supporting documentation ("Answering Papers") be served on the Liquidator so as to be received at least seven business days prior to the Return Date, and that 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 Washington Title Insurance Company  
110 William Street  
New York, New York 10038  
Attention: John Pearson Kelly  
General Counsel

and by submitting copies of the Answering Papers, with affidavit of service on the Liquidator as above, to this Court at IAS Part 23 at the Courthouse located at 60 Centre Street, in the County, City and State of New York, at least seven business days prior to the Return Date; and it is further

ORDERED, that in the absence of Answering Papers filed pursuant to the previous paragraph on or prior to the date specified, the Court may enter relief without hearing and no party shall be entitled to be heard thereon; and it is further

ORDERED, that any person or entity that fails to serve Answering Papers as provided herein shall be deemed to have waived any objections to the relief sought in the Verified Petition

and shall be barred from raising objections in this or any other proceeding concerning the matters set forth herein; and it is further

ORDERED, that any person or entity that has served Answering Papers as provided herein shall be deemed to have waived any objections that are not set forth in the Answering Papers.

ENTER:

  
J.S.C.