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EDMUND G. BROWN JR.  
Attorney General  
W. DEAN FREEMAN  
Supervising Deputy Attorney General  
FELIX E. LEATHERWOOD  
Supervising Deputy Attorney General  
ELISA B. WOLFE-DONATO, State Bar No. 120357  
Deputy Attorney General  
300 South Spring Street, Room 1702  
Los Angeles, California 90013  
Telephone: (213) 897-0633  
Fax: (213) 897-5775  
E-mail: Elisa.Wolfe@doj.ca.gov

Attorneys for Applicant Insurance Commissioner  
of the State of California, in his capacity as Liquidator of  
Western International Insurance Company

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF ORANGE – COMPLEX CIVIL CENTER

**INSURANCE COMMISSIONER OF THE  
STATE OF CALIFORNIA,**

Applicant,

v.

**WESTERN INTERNATIONAL  
INSURANCE COMPANY,** a California  
corporation,

Respondent.

CASE NO. 694012

Assigned for All Purposes to  
the Honorable Thierry P. Colaw  
Department CX 104

**DECLARATION OF COMPLIANCE  
BY INSURANCE COMMISSIONER  
AS LIQUIDATOR OF WESTERN  
INTERNATIONAL INSURANCE  
COMPANY**

**ELECTRONICALLY  
FILED**

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF ORANGE  
CIVIL COMPLEX CENTER

**Dec 01 2009**

ALAN CARLSON, Clerk of the Court  
by E. BLOMBERG

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I, Willard Roberts, declare:

1. I am employed as an Estate Trust Officer (“ETO”) of the Insurance Commissioner of the State of California’s Conservation & Liquidation Office (“CLO”), and have served as the ETO for the liquidation estate of Western International Insurance Company (“Western”) since March 2003. I know the following of my own knowledge (except as to any matters stated on information and belief, and as to such matters, I am informed and believe they are true), and could and would competently testify there if called upon to do so.

2. As an ETO, I am responsible for the management of financially impaired or insolvent insurance companies (referred to as “estates”) from the time of conservation or liquidation until the court has discharged the Insurance Commissioner of his or her duties as Conservator or Liquidator. I serve as a fiduciary, and in this capacity, I lead and direct a support team consisting of individuals who work in the areas of Accounting, Claims, Reinsurance, Legal Finance, Information Technology, Human Resources, and Administration.

3. On May 30, 2008, the Court entered the Order (1) Approving Final Report and Account of Conservator and Liquidator of Western International Insurance Company; (2) Authorizing Disbursement of Funds; (3) Approving Payment of Expenses; and (4) Terminating Liquidation Proceeding and Discharging Insurance Commissioner as Liquidator (“Order”).

4. The Order provided that the Insurance Commissioner shall be discharged as conservator and liquidator of Western upon his filing of a declaration that he distributed the assets of Western in accordance with the terms of the Order. As set forth herein, the Commissioner has distributed assets of Western totaling \$10,402,953.83, as follows:

a.	CIGA:	\$9,887,595.40
b.	Hung Y. Lee & Kyung Sook Lee	218,744.19
c.	Kriang Srilaveelivas	154,490.52
d.	Alevy & Associates	56,728.01
e.	Daniel S. Yu	39,874.68
f.	Ching Hsiang Hsu	20,705.04
g.	Tom K. Shin	12,593.54

1 h. Gong W. Wong & Dorothy Y. Wong 11,602.69  
2 i. Dietz International 619.76

3 5. The Insurance Commissioner further escheated \$8,780.35 to the California  
4 Department of Insurance, Accounting Services Bureau.

5 6. In addition to the amounts distributed above, the Insurance Commissioner  
6 corrected historical fixed cost allocations among estates in liquidation. This resulted in reduced  
7 allocated costs to the Western International estate, and consequently, additional assets to  
8 distribute. Therefore, the following supplemental distribution was made in October 2009 totaling

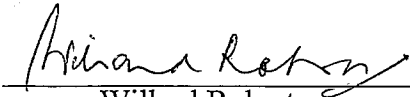
9 \$759,756.55: a. CIGA: \$745,468.07  
10 b. Hung Y. Lee & Kyung Sook Lee 6,064.76  
11 c. Kriang Srilaveelivas 4,283.30  
12 d. Alevy & Associates 1,572.80  
13 e. Daniel S. Yu 1,105.54  
14 f. Ching Hsiang Hsu 574.05  
15 g. Tom K. Shin 349.16  
16 h. Gong W. Wong & Dorothy Y. Wong 321.69  
17 i. Dietz International 17.18

18 7. The Insurance Commissioner further escheated \$243.45 to the California  
19 Department of Insurance, Accounting Services Bureau.

20 8. The Insurance Commissioner retained \$143,940 for payment of the estate's  
21 administrative and closing costs.

22 9. The Insurance Commissioner having taken all action necessary pursuant to the  
23 terms of the Order, the estate is closed concurrent with the filing of this declaration.

24 I declare under the penalty of perjury under the laws of the State of California that the  
25 foregoing is true and correct. Executed this 18<sup>th</sup> day of November, 2009, in San Francisco,  
26 California.

27   
28 Willard Roberts

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Insurance Commissioner v. Western International Insurance Co.**

Case No.: **694012 (Orange County Superior Court – Dept. CX-104)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter; my business address is 300 South Spring Street, Suite 1702, Los Angeles, CA 90013.

I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On **December 1, 2009**, I placed a copy of the attached

**DECLARATION OF COMPLIANCE BY INSURANCE COMMISSIONER AS LIQUIDATOR  
OF WESTERN INTERNATIONAL INSURANCE COMPANY**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Los Angeles, California, addressed as follows:

**SEE ATTACHED SERVICE LIST**

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **December 1, 2009**, at **Los Angeles, California**.

**Evelyn Mendoza**  
Declarant

  
Signature

## SERVICE LIST

### INSURANCE COMMISSIONER OF THE STATE OF CALIFORNIA v. WESTERN INTERNATIONAL INSURANCE CO. Orange County Superior Court Case No. 694012

Frank Towner, Esq.  
**AXA REASSURANCE S.A.\*\*\***  
c/o AXA Reinsurance Corp.  
Liabilities Manager  
(Division of AXA Corporate Solutions S.A.)  
9, place Vendome  
75001 Paris, France  
Tel: 011-331-40755700/Fax: 011-331-40754792

Keith Lovendosky, Esq.  
**BAILEY & PARTNERS**  
2800 28<sup>th</sup> Street, Suite 200  
Santa Monica, CA 90045  
Tel: (310) 392-5000/Fax: (310) 392-8091  
**Represents:** *Navigators Insurance Co.*

**CHINA REINSURANCE CO. (H.K.) LTD.**  
29A United Centre  
95 Queensway, Admiralty  
Hong Kong  
Tel: 011 852 865 3838

**CHUNG KUO INSURANCE CO., LTD.,** Guam  
P.O. Box 3248  
Agana, Guam 96932  
Tel: (671) 477-7696/Fax: (671) 477-4788

**COMPAGNIE TRANSCONTINENTALE DE  
REASSURANCE\*\*\***  
Attn: Mario D. Vallone  
Claims Department, Riverstone Management, Ltd.  
161-163 Preston Road  
Brighton BN1 6AU  
England

**DORINCO REINSURANCE COMPANY**  
Dorinco Center  
1320 Waldo Avenue, Suite 200  
Midland, MI 48642  
Tel: (517) 636-0047/Fax: (517) 636-9963

Thomas R. Rufolo, Jr.  
**FOLKSAMERICA REINSURANCE COMPANY**  
One Liberty Plaza  
New York, New York 10006  
Tel: (212) 312-2500/Fax: (212) 385-2279

Maggie Lo  
**GUY CARPENTER & CO. (ASIA) LTD.**  
26<sup>th</sup> Floor, Central Plaza  
18 Harbour Road, Wanchai  
Hong Kong  
Tel: 011 852 2 582 3500/Fax: 011 852 2 827 5551  
**Represents:**  
*Korean Reinsurance Corp. Ltd.\*\*\**  
*Nippon Fire & Marine Insurance Company*  
*Sumitomo Marine & Fire Insurance Co., Ltd.\*\**

**HANSA REINSURANCE CO. OF AMERICA**  
25 Smith Street  
Nanuet, NY 10954  
Tel: (914) 624-7780/Fax: (914) 624-7765

Dennis Rivenburgh, AVP  
Reinsurance Manager  
**HIGHLANDS INSURANCE COMPANY**  
Reinsurance Department  
P. O. Box 6426  
Lawrence, NJ 27520  
Tel: (609) 896-1921/Fax: (609) 883-9223

**KROLL RUBIN & FIORELLA LLP**  
1241 Barberry Road  
Wantagh, NY 11793-2604  
Tel: (212) 223-9400/Fax: (212) 750-4467  
**Represents:**

*AXA Reassurance S.A.\*\*\**  
*Compagnie Transcontinentale de  
Reassurance\*\*\**  
*La Reunion Francaise S.A.\*\*\**  
*Municipal General Insurance Company,  
Ltd.\*\*\**  
*Norwich Winterthur Reinsurance Corp., Ltd.\*\*\**  
*Terra Nova Ins. Co. Ltd.\*\*\**

Dean Hansell, Esq.  
**DEWEY & LeBOEUF LLP**  
333 South Grand Avenue, Suite 2600  
Los Angeles, CA 90071-1530  
Tel: (213) 621-6000/Fax: (213) 621-6100  
**Represents:**  
*Cologne Re*  
*General Reinsurance Corp.*  
*Odyssey Reinsurance Corporation*  
*Yasuda Fire & Marine Company*

John Hayden  
**The TOA-RE INSURANCE COMPANY OF AMERICA**  
**(formerly MERCANTILE & GENERAL**  
**REINSURANCE CO. OF AMERICA\*\*\*)**  
177 Madison Avenue, CN 1930  
Morristown, NJ 07962-1930  
Tel: (973) 898-9480/Fax: (973) 898-9495

**MUNICIPAL GENERAL INSURANCE COMPANY,**  
**LTD.\*\*\***  
Friary Court  
13-21 High Street  
Guildford GUI 3DG  
United Kingdom

**NORWICH WINTERTHUR REINSURANCE**  
**CORP., LTD.\*\*\***  
c/o D.M. Williams & Associates Ltd.  
3650 Victoria Park Avenue, Suite 201  
North York, Ontario M2H 3P9  
Canada

**PXRE REINSURANCE COMPANY**  
**(formerly PHOENIX REINSURANCE COMPANY)**  
399 Thornall Street, 14th Floor  
Edison, NJ 08837  
Tel: (732) 906-8100/Fax: (732) 906-9157

Janet Burak  
**EVEREST REINSURANCE HOLDING, INC.**  
477 Martinsville Road  
Liberty Corner, New Jersey 07938

Tracy W. Laws, Esq.  
**REINSURANCE ASSOCIATION OF AMERICA**  
1301 Pennsylvania Avenue, N.W.  
Washington, DC 20004  
Tel: (202) 638-3690/Fax: (202) 638-0936  
**Represents:** *Amicus*

**REPUBLIC WESTERN INSURANCE COMPANY**  
Attn.: Bridget Jung  
Heather West  
P. O. Box 24181  
Phoenix, AZ 85074-4181

**SCOR REINSURANCE CO.**  
**(formerly GENERAL SECURITY ASSURANCE**  
**CORPORATION OF N.Y.)**  
199 Water Street  
New York, NY 10038-3526  
Tel: (212) 480-1900/Fax: (212) 480-1328

Lawrence J. Licitra, Esq.  
**SWISS REINSURANCE AMERICA CORPORATION**  
175 King Street  
Armonk, NY 10504  
Tel: (914) 828-8842/Fax: (914) 828-7842

Conrado Barrios  
John McCoy  
**TPF&C REINSURANCE**  
525 Market Street, Suite 2900  
San Francisco, CA 94105  
(415) 836-1103

**Represents:**

*CIGNA Reinsurance Co.\*\**  
*Continental Reinsurance Corp.\*\**  
*Hartford Reinsurance\*\**  
*Mercantile & General Reinsurance Co.*  
*of America\*\*\**  
*New England Reinsurance Company\*\**

**UNDERWRITERS REINSURANCE COMPANY**  
26050 Mureau Road  
Calabasas, CA 91302  
Tel: (818) 878-9500/Fax: (818) 225-7040

**UNION INSURANCE CO., LTD.**  
219 Chung-Hsiao East Road  
Sec. 4  
12th Floor  
Taipei  
Taiwan, R.O.C.

**UNIVERSAL REINSURANCE CORP.**  
Ayala Life Building  
6786 Ayala Avenue  
Ninth Floor  
Makati, Metro Manila  
Philippines  
Tel: 011 632 817 8556

**U. S. REINSURANCE**  
Attention: Joe Deyhle  
745 Fifth Avenue  
19th Floor  
New York, NY 10151  
Tel: (212) 808-5500/Fax: (212) 808-5206

**Represents:**

*AXA Reassurance S.A.\*\*\**  
*Belvedere (Christiania)*  
*CIE Transcontinentale de Reassurances*  
*Cologne Re\*\**  
*Continental Reinsurance Corporation\*\**  
*Folksamerica Reinsurance Company\**  
*Frankona Re\*\**  
*General Security Assurance Corporation of N.Y.\**  
*Hansa Reinsurance Co. of America*  
*Highlands Insurance Company\**  
*La Reunion Francaise S.A.\*\*\**  
*Lloyd's\*\*\**

*Municipal General Insurance Company, Ltd.\*\*\**  
*Navigators Insurance Co.\*\**  
*Norwich Winterthur Reinsurance Corp., Ltd.\*\*\**  
*Phoenix Reinsurance Company\**  
*Prudential Reinsurance Company\**  
*Reinsurance Corp. of New York\*\**  
*Republic Western Insurance Company\**  
*Skandia American Reinsurance Company\**  
*Sumitomo Marine & Fire Ltd.\*\**  
*Yasuda Fire & Marine of America*

Joseph K. Hegedus, Esq.

**LEWIS, BRISBOIS, BISGAARD & SMITH**

221 North Figueroa Street, Suite 1200

Los Angeles, CA 90012

Tel: (213) 250-1800/Fax: (213) 250-7900

**Represents:** *WIIC officers and directors*

**REINSURANCE COUNSEL, LAW CORP.**

Linda M. Lasley, Esq.

Lewis Brisbois Bisgaard & Smith LLP

221 N. Figueroa St., Suite 1200

Los Angeles, California 90012

Tel: (213) 680-5114/Fax: (213) 250-7900

Larry Mulryan, Executive Director  
**CALIFORNIA INSURANCE GUARANTEE  
ASSOCIATION**

700 North Brand Boulevard, Suite 1400  
Glendale, California 91203

**PICC PROPERTY AND CASUALTY  
COMPANY LIMITED**

69 Dongheyanjie, Xuanwumen  
Beijing, P.R. China 100042

**COURTESY COPY:**

John Horner

Chief of Reinsurance

Conservation & Liquidation Office

Department of Insurance

P.O. Box 26894

45 Fremont Street, 23rd Floor

San Francisco, CA 94126-0894

Tel: (415) 676-5021/Fax: (415) 676-5003

Willard Roberts

Estate Operations Officer

Commissioner of Insurance

Conservation & Liquidation Office

425 Market Street, 23rd Floor

P.O. Box 26894

San Francisco, California 94126-0894

Jack Hom, Esq.

Legal Department

California Department of Insurance

45 Fremont Street, 23rd Floor

San Francisco, California 94105

\* Served directly in addition to intermediary

\*\* Represented by counsel

\*\*\* Served as directed in Service of Suit clause

updatedlist11 June 2008.wpd