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FILED
SAN DIEGO SUPERIOR COURT

JUN 23 2015

CLERK OF THE SUPERIOR COURT

BY: T. RAY

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

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

Plaintiff,

v.

**FRONTIER PACIFIC INSURANCE
COMPANY, A California Corporation,**

Defendants.

Case No. GIC774028

**[PROPOSED] ORDER APPROVING
LIQUIDATOR'S FINAL REPORT AND
ACCOUNTING, AND FINAL
DISTRIBUTION OF ASSETS OF THE
ESTATE OF FRONTIER PACIFIC
INSURANCE COMPANY**

Date: June 19, 2015
Time: 1:00 p.m.
Dept: 71
ICJ: Hon. Ronald S. Prager
Trial Date: None Set
Action Filed: September 7, 2001

On May , 2015, the Insurance Commissioner, as Liquidator of Frontier Pacific Insurance Company, filed his Notice of Application and Application for Order Approving Liquidator's Final Report and Accounting and Final Distribution of Assets of the Estate of Frontier Insurance Company with Points and Authorities and with supporting Declarations of Willard Roberts, Raymond Minehan, John Battle and Dick Oshita, which motion and support are incorporated herein by reference. The matter was heard at a noticed hearing on June 19, 2015.

Good cause appearing therefor, IT IS HEREBY ORDERED that:

1. The Final Report and Account of Conservator and Liquidator for the period from September 7, 2001 to March 31, 2105, is settled and approved;

2. The Commissioner is authorized to distribute approximately \$11,600,000.00 to the approved claimants as set forth in the motion and support incorporated herein by reference. The amount available for distribution is subject to adjustment for investment income and changes in the market value of investments that have been posted as of the date the investment are withdrawn from the investment pool. The distributions shall be made within three weeks of receipt of the signed order from the Court;

3. The Commissioner is authorized to retain the sum of \$271,055 for payment of administrative expenses incurred by the Commissioner from April 1, 2015 through June 16, 2015 and for administrative and closing costs. The Commissioner is authorized to pay any excess closing and administrative costs out of other funds appropriated for the maintenance of the Department of Insurance. A report to the Court of the expenditure of these funds shall not be required;

4. In accordance with the six month waiting period of the Code of Civil Procedure section 1517, the Commissioner, as to disbursements that are either undeliverable or as to which issued checks have not then been negotiated, is authorized to void such checks as have not then been negotiated and escheat all undeliverable amounts and amounts of non-negotiated checks to the Insurance Fund.

5. The Commissioner is authorized to maintain in the Conservation & Liquidation Office imaged databases of all records of FPIC for a period of three years from the date of the Court's order, and thereafter the Commissioner is authorized to destroy all records of Respondent FPIC, except for those records necessary for examination by the Department of Finance or the auditor of the Commissioner's books and records pursuant to Insurance Code section 1061;

6. The estate of FPIC shall be closed and the Commissioner shall be discharged as liquidator upon the filing of a declaration that the Commissioner has distributed the

1 assets of FPIC in accordance with this Court's order approving final distribution. The
2 Commissioner, his Special Deputies, the Conservation and Liquidation Office, its employees, the
3 California Department of Insurance, and its personnel, and the Commissioner's agents and
4 attorneys, shall be, upon such filing, DISCHARGED from any and all claims, debts, liabilities, or
5 duties to further account for the assets or liabilities of FPIC through the date of the declaration,
6 and shall have no liability of any kind or nature for such claims or debts; and

7 7. The Commissioner is authorized to take any action and execute all
8 documents necessary to accomplish the purpose of this order.

9 IT IS SO ORDERED

10 Date JUN 23 2015

GREGORY W. POLLACK

11 THE HONORABLE RONALD S. PRAGER
12 JUDGE OF THE SUPERIOR COURT

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DECLARATION OF SERVICE BY MESSENGER

Case Name: **Insurance Commissioner of the State of California v. Frontier Pacific Insurance Company, a California Corporation**

Case No.: **GIC774028**

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: 110 West A Street, Suite 1100, P.O. Box 85266, San Diego, CA 92186-5266.

On May 26, 2015, I caused the attached **[PROPOSED] ORDER APPROVING LIQUIDATOR'S FINAL REPORT AND ACCOUNTING, AND FINAL DISTRIBUTION OF ASSETS OF THE ESTATE OF FRONTIER PACIFIC INSURANCE COMPANY** to be personally served by **[ACE Services]** by placing a true copy thereof for delivery to the following person(s) at the address(es) as follows:

Kevin Lewis
National Indemnity Company
Berkshire Hathaway Group –
Reinsurance Division
100 First Stamford Place
Stamford, CT 06902

New York Property and Casualty
Insurance Guarantee Fund
1 Commerce Plaza, 20th Floor
New York, NY 12257

Chief Executive Officer
Frontier Insurance Company
195 Lake Louise Marie
Rock Hill, NY 12775-2100

Willard Roberts Estate Trust Officer
Conservation & Liquidation Office
100 Pine St., 26th Floor
San Francisco, CA 94111

Joseph Termine
Special Deputy Superintendent
State of New York Insurance Dept.
Liquidation Bureau
123 William Street
New York, NY 10038

Christopher L. Dueringer, Esq.
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120 Broadway, Suite 300
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Andrew Pearson, Esq.
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San Diego, CA 92110-2825

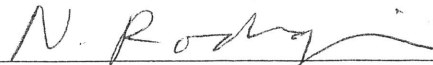
Wayne Wilson
Executive Director
California Insurance Guarantee Assn.
101 North Brand, Suite 600
Glendale, CA 91209

South Carolina Property and Casualty
Insurance Guaranty Association
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240 Stoneridge Drive
Columbia, CA 29201

Jeffery D. Goetz, Esq
Bradshaw, Fowler, Proctor and
Fairgrave PC
801 Grand Ave., Suite 3700
Des Moines, IA 50309

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 May 26, 2015, at San Diego, California.

N. Rodriguez
Declarant


Signature

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