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COPY FILED
 SUPERIOR COURT OF CALIFORNIA
 COUNTY OF ORANGE
 CENTRAL JUSTICE CENTER

FEB 11 2009

ALAN CARLSON, Clerk of the Court

BY: N. DORFMAN, DEPUTY

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

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 11 FOR THE COUNTY OF ORANGE, CENTRAL JUSTICE CENTER
 12

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

CASE NO. 03CC01758

14 Applicant,

15 v.

DECLARATION OF COMPLIANCE
BY INSURANCE COMMISSIONER
AS LIQUIDATOR OF WESTERN
GROWERS INSURANCE COMPANY

16 **WESTERN GROWERS INSURANCE**
 17 **COMPANY,**

18 Respondent.

19 Dept: C31
 20 Judge: Hon. Frederick P. Horn
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1 I, Scott Pearce, declare:

2 1. I am employed as a Senior Estate Trust Officer by the Insurance Commissioner of
3 the State of California's Conservation & Liquidation Office ("CLO"), and have served as the
4 estate trust officer for the liquidation estate of Western Growers Insurance Company ("Western
5 Growers") since February 2003. I know the following of my own knowledge and could and
6 would competently testify there if called upon to do so.

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

13 3. On December 22, 2008, the Court entered the Order (1) Approving Final Report
14 and Account of the Liquidator of Western Growers Insurance Company; (2) Authorizing
15 Disbursement of Funds; (3) Approving Payment of Expenses; and (4) Terminating Liquidation
16 Proceeding and Discharging Insurance Commissioner as Liquidator ("Order").

17 4. The Order provided that the Insurance Commissioner shall be discharged as the
18 liquidator of Western Growers upon his filing of a declaration that he distributed the assets of
19 Western in accordance with the terms of the Order. As set forth herein, the Commissioner has
20 transferred all residual assets of Western Growers totaling \$15,513,605 to the California
21 Insurance Guarantee Association.

22 5. The Insurance Commissioner retained \$115,000 for payment of administrative and
23 closing costs, which is an increase of the amount provided in the Court's Order due to additional
24 record destruction expenses.

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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: **Insurance Commissioner v. Western Growers Insurance Co.**
No.: **03CC01758**

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. 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 February 11, 2009, I served the attached **DECLARATION OF COMPLIANCE BY INSURANCE COMMISSIONER AS LIQUIDATOR OF WESTERN GROWERS INSURANCE COMMISSIONER COMPANY** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

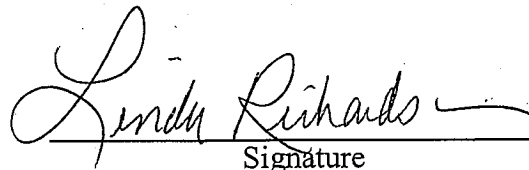
C. Guerry Collins, Esq.
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Michael R. Primiano, Esq.
Industrial Commission of Arizona
Legal Division
P.O. Box 19070
Phoenix, AZ 85005-9070

Jasper Hempel, Esq.
General Counsel
Western Growers Association
17620 Fitch Street
Irvine, CA 92614

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 February 11, 2009, at Los Angeles, California.

Linda Richardson
Declarant



Signature