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as Liquidator of Fremont Indemnity Company
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF LOS ANGELES – CENTRAL CIVIL WEST

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13 INSURANCE COMMISSIONER OF THE
STATE OF CALIFORNIA,

14 Applicant,

15 v.

16 FREMONT INDEMNITY COMPANY,

17 Respondent.
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CASE NO. BS083582

[Assigned for All Purposes to
the Honorable Wendell Mortimer, Jr.]

~~[PROPOSED]~~ ORDER ENJOINING
SERVICE ON FREMONT INDEMNITY
COMPANY OR INSURANCE
COMMISSIONER OF THIRD PARTY
SUBPOENAS IN MATTERS PENDING
BEFORE CALIFORNIA WORKERS'
COMPENSATION APPEALS BOARD
OR EQUIVALENT BOARDS AND
AGENCIES IN OTHER STATES

Date: March 22, 2005
Time: 8:30 a.m.
Dept.: 307 – Central Civil West
Judge: Hon. Wendell Mortimer, Jr.

28 DOCSLA1:490704.1

~~[PROPOSED]~~ ORDER ENJOINING SERVICE ON FREMONT INDEMNITY COMPANY OR INSURANCE COMMISSIONER
OF THIRD PARTY SUBPOENAS IN MATTERS PENDING BEFORE CALIFORNIA WORKERS' COMPENSATION
APPEALS BOARD AND EQUIVALENT BOARDS AND AGENCIES IN OTHER STATES

REC'D FEB 28 2005

ORIGINAL FILED

MAR 2 2 2005

LOS ANGELES
SUPERIOR COURT

1 The Renewed Application of the Insurance Commissioner of the State of California as
2 Liquidator of Fremont Indemnity Company for Order Enjoining Service on Fremont Indemnity
3 Company or Insurance Commissioner of Third Party Subpoenas in Matters Pending Before
4 California Workers' Compensation Appeals Board and Equivalent Boards and Agencies in Other
5 States came on for hearing on March 22, 2005, at 8:30 a.m. in Department 307 of the Los
6 Angeles County Superior Court, Central Civil West Courthouse, the Honorable Wendell
7 Mortimer, Jr., presiding.

8 The Court, having read and considered the Application, and all documents, evidence and
9 arguments presented to it, and good cause appearing,

10 IT IS HEREBY ORDERED that:

- 11 1. The Application is granted;
- 12 2. All persons are enjoined from serving subpoenas on Fremont or the Insurance
13 Commissioner in matters unrelated to claims covered by insurance policies issued by Fremont
14 Indemnity Company pending before the California Workers' Compensation Appeals Board and
15 equivalent boards and agencies in other states, except upon order from the Court obtained after
16 reasonable notice to the Insurance Commissioner;
- 17 3. All persons seeking relief from the injunction from the Court must demonstrate
18 that a good faith effort has been made to obtain the requested records and information from other
19 sources, and that such records and information are not available from other sources; and
- 20 4. The Insurance Commissioner is authorized to take any and all actions necessary to
21 accomplish the purposes of this Order.

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23 **MAR 22 2005**

24 Dated: _____

WENDELL R. MORTIMER, JR.

Judge of the Superior Court