



ENDORSED  
FILED  
San Francisco County Superior Court

JAN 23 2003

GORDON PARK-LI, Clerk  
BY: JOCELYN C. ROQUE  
Deputy Clerk

1 BILL LOCKYER, Attorney General  
of the State of California  
2 RANDALL P. BORCHERDING  
Supervising Deputy Attorney General  
3 State Bar Number 52237  
4 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5509  
5 Facsimile: (415) 703-5480

6 Attorneys for Applicant Insurance  
Commissioner of the State of California  
7

8  
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
10 **COUNTY OF SAN FRANCISCO**

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

Case No.: 995741

13 Applicant,

**[PROPOSED] ORDER APPROVING  
FINAL DISTRIBUTION, SETTling  
AND APPROVING INSURANCE  
COMMISSIONER'S REPORT AND  
ACCOUNT, TERMINATING  
PROCEEDING AND  
DISCHARGING CONSERVATOR  
AND LIQUIDATOR**

14 v.

15 **SURETY INSURANCE COMPANY OF**  
16 **CALIFORNIA, a California Corporation,**

17 Respondent.

Hearing Date: January 23, 2003  
Time: 9:30 a.m.  
Dept: 301

[Insurance Code Sections §§ 1017(a),  
1021, 1037(d), and 1061]

18  
19  
20  
21 The court having read and considered the Insurance Commissioner's Verified Final  
22 Report And Account of Conservator and Liquidator from May 23, 1984 to October 31, 2002, and  
23 Application For Order 1) Settling and Approving Final Report and Account; 2) Authorizing  
24 Disbursement of Funds and 3) Terminating Proceeding and Discharging Conservator and  
25 Liquidator (Final Report and Account), submitted by the Insurance Commissioner, as  
26 Conservator and Liquidator, with supporting financial documents and good cause therefore  
27 appearing, hereby ORDERS that:

28 1. The Commissioner is authorized to make a final distribution of approximately

1 \$25,905.24, along with any accrued income or less any losses resulting from a change in value of  
2 the remaining assets, to the Class 5 claimants as described in paragraphs 5, 6, 10 and 11 of his  
3 Final Report and Account;

4 2. The Commissioner is authorized pursuant to the Unclaimed Property Law, Code  
5 of Civil Procedure section 1500 et seq., and specifically pursuant to Code of Civil Procedure  
6 section 1517(b), to deposit into the Insurance Fund the sums of \$50.92, \$18,082.85 and  
7 \$189,354.18 as set forth in paragraphs 10, 11 and 14 of his Final Report and Account, plus any  
8 accrued income or less any losses resulting from a change in value of the remaining assets.

9 3. The Commissioner is authorized to expend those funds necessary up to \$53,000  
10 for final administrative closing and post-closing expenses; including the preparation of the final  
11 accounting; legal fees for drafting of the Liquidator's Final Report and any interim applications;  
12 legal fees in connection with preparation and attendance at hearings concerning approval of the  
13 Liquidator's Final Report and Accounting and other interim hearings; Department of Finance  
14 Audit Fees; and other expenses as may be incurred in the normal course of closing this  
15 liquidation estate, without further court approval;

16 4. The Commissioner is authorized to maintain the records of Surety Insurance  
17 Company of California currently in his possession for three years from the date of the termination  
18 of this liquidation proceeding and after that time to destroy all such records in his possession  
19 except those records necessary for examination by the Department of Finance pursuant to  
20 Insurance Code section 1061; and,

21 5. The Commissioner is discharged as Conservator and Liquidator effective thirty  
22 days after the filing of his Declaration of Completion of the liquidation and compliance with this  
23 Court's Order, without further order of this court, and this liquidation proceeding will thereby be  
24 terminated.

25  
26  
27 Dated: \_\_\_\_\_

JAN 28 2003

DAVID A. GARCIA

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

28