

Proof of Claim Instructions



1. The Proof of Claim must be typed or legibly printed in ink.
2. The Proof of Claim must have all items completed and questions answered. If an item is not applicable, please write "N/A" in that section. Your Proof of Claim will be returned to you if any items are left blank. Please review the entire form for completion prior to mailing.
3. If you need additional space to fully answer any question, please do so on a separate sheet of paper and attach to your Proof of Claim.
4. You must attach to the Proof of Claim documents or evidence supporting your claim. **FAILURE TO PROVIDE SUFFICIENT DOCUMENTS OR EVIDENCE SUPPORTING YOUR CLAIM IS GROUNDS FOR DENIAL.**
5. You have an ongoing duty to supplement your Proof of Claim with supporting documentation as additional information is received. This requirement includes notice of any change of address.
6. The Proof of Claim must be signed by the Claimant who is named in Part 1, or by a representative of the Claimant who has knowledge of the matters set forth in the Proof of Claim and in any accompanying statement and supporting documents.
7. All Proofs of Claim must be postmarked no later than December 31, 2017. The Liquidator is not responsible for undelivered mail.
8. The Liquidator suggests you keep a copy of the completed Proof of Claim for your records.
9. A copy of the Proof of Claim form should be attached to all future correspondence, related to your Proof of Claim.

GENERAL INFORMATION

After all claims have been approved or rejected, the Liquidator will seek Court approval to begin making distributions to the approved claimants from the assets of the Company.

If you have any questions about the Proof of Claim procedure, you may call (415) 676-5084 or e-mail to: CNICPOCs@caclo.org

Please visit our website at www.caclo.org for additional information. Look in the 'Companies' section for Castlepoint National Insurance Company.

IMPORTANT NOTICE

If you have a change of address after filing your Proof of Claim you must provide us with your new address in order to receive any payment that might be due.

Not to be used - Sample Only

CASTLEPOINT NATIONAL INSURANCE COMPANY

In Liquidation (the "Company")
PO Box 26894
San Francisco, CA 94126-6894

PROOF OF CLAIM

Superior Court of the State of California
City and County of San Francisco
Case No. CPF-16-515183

PLEASE READ ALL INSTRUCTIONS ON THE BACK OF THIS FORM CAREFULLY BEFORE COMPLETING FORM

DEADLINE FOR FILING PROOF OF CLAIM IS December 31, 2017

Proof of Claim Number: xxxxxxx

Part 1 Person or Entity Making Claim (Claimant)

| | |
|--|---------------------------|
| Claimant Name Address 1 Address 2 City, State ZIP | Claimant Telephone |
| | Claimant E-Mail |
| | SSN or Federal Tax ID No. |

Are you represented by an attorney? Yes or No, circle one

If yes, state your attorney's name, address and telephone number _____

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Part 2 Claim Information

| Type of Claim | Amount of Claim | Describe your claim: _____ Attach all supporting documentation to this form. |
|---|-----------------|---|
| <input type="checkbox"/> Policy related | \$ _____ | |
| <input type="checkbox"/> General Creditor | \$ _____ | |
| <input type="checkbox"/> Other | \$ _____ | |

a. Have you received any payments on the claim for which you are filing this Proof of Claim from any source? ____ If yes, specify the total amount received \$ _____ and identify all sources: _____

b. Is this a secured claim? If yes, identify all security for this claim: _____

c. Is this claim the subject of legal action? ____ If yes, list court and case number: _____
List all parties and their attorneys: _____

d. Is this claim contingent or unliquidated? If yes, explain: _____

The undersigned subscribes and affirms as true under the penalties of perjury as follows: that he or she has read the foregoing Proof of Claim and knows the contents thereof; that this claim against the Company is justly owing to the Claimant; that the matters set forth and in any accompanying statements and supporting documents are true and correct; that no payment of or on account of the aforesaid claim has been received except as above stated; and that there are no set offs or counterclaims thereto except as above stated.

Claimant Signature _____ Date Signed _____

Print Name _____

Title or Official Capacity (if any) _____

Return your completed form to:

Castlepoint National Insurance Company in Liquidation
Proof of Claim
Conservation and Liquidation Office
P O Box 26894
San Francisco, CA 94126-6894

Not to be used - Sample Only

Frequently Asked Questions Re CastlePoint National Proof of Claim Mailing

Q. What is a liquidation proceeding?

A. Liquidation is similar to bankruptcy. When an insurance company is insolvent, the California Insurance Code authorizes the Insurance Commissioner of the state of California to ask the Superior Court (the "Court") for an Order appointing the Insurance Commissioner as the Liquidator and instructing him/her to liquidate the insurance company. The Liquidation Order directs the Liquidator, to (i) take or maintain possession of the property of the insurer, (ii) conduct the insurer's business, and (iii) take such steps to liquidate (wind-up the affairs of) the business of the insurer as the Court shall direct.

Q. What is a Proof of Claim Process?

A. A Proof of Claim process determines proper creditors who may have a monetary claim against the residual assets of the CastlePoint National companies. Liabilities of the company are fixed through this process.

Q. Why was I sent a Proof of Claim form?

A. The records from the CastlePoint companies indicate that you had some business relationship with the company. Thus, you are a potential creditor and we are required to notify you of your right to assert a claim if you so choose.

Q. Must I complete and file the Proof of Claim form?

A. Only if you believe you have a monetary claim against any of the CastlePoint companies for obligations that were incurred prior to the Liquidation date of April 1, 2017. All liabilities of the liquidated companies are fixed as of that date. Should you not file a claim by the bar date of Dec. 31, 2017, you will not be eligible to participate in any distribution of CastlePoint assets.

Q. If I am a claimant under a CastlePoint insurance policy, must I file a Proof of Claim.

A. No, the Liquidation Order deems your claim to have been filed with a state Guaranty Fund and you need not complete the form. A separate letter will be sent to you in the near future.

Q. If I am a claimant under a CastlePoint insurance policy, what happens to my claim?

A. As a general rule your claim is transferred to a Guaranty Fund for further claims administration and payment as appropriate. In some infrequent situations there may not be Guaranty Fund coverage for your claim. Responsibility for handling for such non-covered claims generally reverts to the policyholder.

Q. If I am a policyholder of one of the CastlePoint companies, do I need to file a Proof of Claim?

A. The Liquidation order specifies that all open policy claims as of the date of liquidation are deemed to be timely filed, and you need not file to insure that an existing claim will continue to be handled by a Guaranty Fund. However, if you receive notice that a claim against your policy is not covered for any reason, it is safer to file a Contingent and Undetermined claim. Also if you believe you may have new claims in the future, you should file a Contingent and Undetermined claim so that such future claims may be protected for coverage with a Guaranty Fund. Finally, if you believe that you have a claim for any other money, for example, return premium owed you, you must file a Proof of Claim for it to be considered.

Q. What is a Guaranty Association or Fund and what does it do?

A. Most CastlePoint policy claims qualify for coverage from a guaranty association in the state of the claimant's residence or the state of the policyholder's residence. Guaranty associations and funds were created by state law to provide protection to policyholders and claimants in the event of a member insurer's liquidation. The state law which created each guaranty association or fund has limitations and other eligibility requirements, including certain limitations on the amount of coverage available and the types of claims covered. The Liquidator cannot make a determination concerning the amount of guaranty association or fund coverage available to a policyholder or claimant. That determination will be made by the guaranty association or fund consistent with their state laws. A listing of State Guaranty Funds with contact information can be found at www.caclo.org/CastlePoint.

Q. Will my claim(s) be paid in full by the insurance guaranty associations?

A. Some state insurance guaranty associations have maximum benefit limits. These limits are established by state law and can vary from state to state. You may access more information regarding specific state guaranty associations at www.ncigf.org.

Q. What happens to my general creditor (“non-policy related”) claim against CastlePoint?

A. The Liquidation Order includes injunctions against certain conduct. Please read the Liquidation Order carefully as there are penalties for violations of the injunctions. As a result of the entry of the Liquidation Order, CastlePoint is not able to pay all its claims at this time. Over time the Liquidator will liquidate the assets of **CastlePoint** and evaluate the claims against **CastlePoint**. Once the Liquidator evaluates all claims, the Liquidator will make recommendations to the Court. Once the process of liquidating **CastlePoint's** assets and determining **CastlePoint's** liabilities is complete, the remaining available assets will be distributed to classes of claimants with approved proofs of claim in the priority order established in the California Insurance Code.

Q. What happens if I have or want to bring, a lawsuit against CastlePoint?

A. No action at law or equity or in arbitration shall be brought against **CastlePoint** or the Liquidator, whether in California or elsewhere, nor shall any such existing actions be maintained or further presented after issuance of the Liquidation Order. The Liquidator may intervene in any action against **CastlePoint** in order to protect **CastlePoint's** assets. If your lawsuit is against a policyholder of **CastlePoint**, then – at the election of the appropriate state guaranty association – the association may seek a stay of that litigation until such time as claim files can be properly evaluated.

Q. May I contact the Liquidator to obtain advice?

A. The Liquidator will try to be as helpful as possible to assist you to perfect your claim against the company, but the Liquidator cannot give you specific legal advice. You may want to contact your attorney if you need such advise.

Q. Where can I find additional information regarding CastlePoint and/or the Liquidation Proceeding?

A. Additional information regarding the CastlePoint receivership will be posted at:

www.caclo.org/CastlePoint

OFFICIAL LEGAL NOTICE

**NOTICE TO ALL POLICYHOLDERS, CLAIMANTS, CREDITORS, SHAREHOLDERS, AND ALL OTHER PERSONS OR ENTITIES INTERESTED
IN IN THE ASSETS OF CASTLEPOINT NATIONAL INSURANCE COMPANY**

NOTICE IS HEREBY GIVEN that effective April 1, 2017, the Superior Court of the City and County of San Francisco ordered the liquidation of CastlePoint National Insurance Company, in the case entitled *Insurance Commissioner of the State of California v. CastlePoint National Insurance Company*, Case No. CPF-16-515183 ("Liquidation Order"). Pursuant to the Liquidation Order, the California Insurance Commissioner has been appointed as the statutory Liquidator of CastlePoint National Insurance Company ("CastlePoint"). The Liquidation Order authorizes and empowers the Commissioner, through his Conservation & Liquidation Office, to liquidate CastlePoint and its assets for the benefit of CastlePoint's claimants, creditors and shareholders, as provided in Sections 1010 through 1062 of the Insurance Code of the State of California.

CastlePoint National Insurance Company is the successor by merger with the following companies prior to Conservation:

| | |
|--|-------------------------------|
| Tower Insurance Company of New York | Hermitage Insurance Company |
| Tower National Insurance Company | North East Insurance Company |
| CastlePoint Florida Insurance Company | Preserver Insurance Company |
| Massachusetts Homeland Insurance Company | CastlePoint Insurance Company |
| York Insurance Company of Maine | |

To orderly conclude all operations of CastlePoint National, it is necessary to provide potential creditors with an opportunity to make a monetary claim against CastlePoint National should they believe one exists. You are being sent the attached Proof of Claim notice based on the business records of CastlePoint National which show that you had a relationship with CastlePoint National, but does not necessarily show that you were owed any money by CastlePoint National.

Claims must be made on the enclosed Proof of Claim form and must be returned to the CLO by the Claims Bar Date, December 31, 2017. Please follow the instructions on the back of the Proof of Claim form carefully. We will not research the company's records to determine whether you are owed money until after you have filed a Proof of Claim form. If you think you are entitled to money from CastlePoint National, but are not sure how much, you should file a Contingent and Undetermined claim.

Most existing first and third party policy related claims were transferred to the Insurance Guaranty Association (IGA) in either the claimant's or the policyholder's state Guaranty Association (a listing of State Guaranty Funds with contact information can be found at www.caclo.org/CastlePoint). It is not necessary to file a Proof of Claim with regard to those claims as they are considered "deemed filed" with the Guaranty Association per the Liquidation Order. However, if you believe you may have a claim in the future, you may need to file a contingent and undetermined claim before the claims bar date. All other persons with claims or potential claims against CastlePoint National must file their Proof of Claim by the Claims Bar Date, December 31, 2017, in order to preserve their claim.

The Commissioner is in the process of collecting assets and calculating the liabilities of CastlePoint National. This process includes the review of the Proofs of Claim. Those claims that are determined to be covered by an IGA in your state have been forwarded to them for processing. Those that are not covered by an IGA will be reviewed by the CLO. If more information is needed with respect to your claim, it will be requested from you. By filing your claim you agree that you will provide such information necessary to process your claim. The records of the Company in Liquidation may be incomplete or inaccurate, and you may need to provide this additional information.

Should you desire a copy of the Liquidation order, please visit our website, www.caclo.org and click on the "Companies" tab and find CastlePoint National. Other updates on the status of the CastlePoint liquidation will be regularly posted on this website. Should you desire a copy of the Liquidation order itself, and are unable to get a copy from the website, or if you have any questions about the Proof of Claim procedure, you may call (415) 676-5084, email to:

CNICPOCs@caclo.org, or write us at the address below.

Conservation and Liquidation Office
PO Box 26894
San Francisco, CA 94126

Date: June 8, 2017