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Exempt from filing fees
(Gov. Code, § 6103)

ELECTRONICALLY FILED
Merced Superior Court
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Amanda Toste
Clerk of the Superior Court
By: Nengsy Moua, Deputy

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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF MERCED

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

13 Applicant,

14 v.

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16 **MERCED PROPERTY & CASUALTY**
COMPANY, a California corporation,

17 Respondent.
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Case No. 18CV-04739

NOTICE OF WITHDRAWAL OF APPLICATION FOR ORDER TO APPROVE LIQUIDATOR'S 1) PAYMENT OF ADMINISTRATIVE AND PROFESSIONAL FEES AND EXPENSES FOR THE PERIOD OF NOVEMBER 1, 2022 TO SEPTEMBER 30, 2024; 2) APPROVE EXECUTED RELEASE AGREEMENT WITH THE FEDERAL GOVERNMENT; 3) AUTHORIZE FINAL DISBURSEMENT OF MERCED ASSETS; 4) ESCHEAT UNCLAIMED FUNDS TO STATE; 5) RETAIN CLOSING RESERVE; 6) AUTHORIZE DISPOSAL OF LEGACY RECORDS; 7) REMIT RESIDUAL ESTATE ASSETS TO PARENT ENTITY; AND 8) CLOSE ESTATE

Date: March 13, 2025
Time: 8:15 a.m.
Dept: 8
Judge: Hon. Stephanie Jamieson

Action Filed: November 30, 2018

1 TO THE COURT AND ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF
2 RECORD:

3 The Insurance Commissioner of the State of California (Commissioner), in his capacity as
4 Liquidator of Merced Property & Casualty Company (Merced), withdraws his application to the
5 Court for an order approving the Commissioner to do the following: 1) pay administrative and
6 professional fees and expenses for the period of November 1, 2022, to September 30, 2024, in the
7 amount of \$692,196; 2) approve the executed release and waiver agreement with the federal
8 government; 3) disburse \$370,203 to Merced general creditors and equity class creditors holding
9 approved unpaid claims; 4) escheat up to \$213,600 in unclaimed funds; 5) retain a closing reserve
10 of \$350,000; 6) obtain authority to destroy legacy records; 7) remit all residual assets after
11 completion of all disbursements and closure requirements to Merced's parent company and
12 owner, United Heritage Financial Group; and 8) close the estate (Application), set for hearing on
13 March 13, 2025, at 8:15 a.m.

14 After filing the Application and its supporting documents on January 29, 2025, the
15 Commissioner discovered that the Index of Exhibits and Exhibits to the Application inadvertently
16 included an Exhibit E that displayed a distribution list from a prior filing instead of a spreadsheet
17 detailing the Merced estate's final distribution. The concurrently filed Application and its
18 supporting documents include a corrected Index of Exhibits with an Exhibit E that accurately
19 reflects the Merced estate's final distribution.

20 In addition, the originally filed Final Status Report of the Insurance Commissioner on the
21 Liquidation of Merced Property & Casualty Company inadvertently listed an incorrect amount for
22 the total distribution for Class 7 and 8 claimants on two occasions; both instances have since been
23 corrected to state \$370,203.71 as the total distribution for Class 7 and 8 claimants and are
24 reflected in the concurrently filed Final Status Report. The concurrently filed Application also
25 specifically requests approval from this Court to disburse \$370,203 to Merced general creditors
26 (Class 7) and equity class creditors (Class 8) holding approved unpaid claims.

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1 After making the aforementioned corrections, the Commissioner has re-submitted the
2 concurrently filed Application and its supporting documents to the Court, and the Application is
3 currently set for hearing on April 2, 2025, at 8:15 a.m. in Court Room 8 of the above-entitled
4 court before the Honorable Stephanie Jamieson.

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9 Dated: February 20, 2025

Respectfully submitted,

10 ROB BONTA
11 Attorney General of California
12 LISA W. CHAO
13 Supervising Deputy Attorney General

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15 CAROLINE C. LAM
16 Deputy Attorney General
17 *Attorneys for Applicant*
18 *Insurance Commissioner of the State of*
19 *California*

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DECLARATION OF SERVICE BY ELECTRONIC MAIL

Case Name: **Insurance Commissioner of the State of California v. Merced Property & Casualty Co.**

Case No.: **18CV-04739**

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.

On February 21, 2025, I served the attached **NOTICE OF WITHDRAWAL OF APPLICATION FOR ORDER TO APPROVE LIQUIDATOR'S 1) PAYMENT OF ADMINISTRATIVE AND PROFESSIONAL FEES AND EXPENSES FOR THE PERIOD OF NOVEMBER 1, 2022 TO SEPTEMBER 30, 2024; 2) APPROVE EXECUTED RELEASE AGREEMENT WITH THE FEDERAL GOVERNMENT; 3) AUTHORIZE FINAL DISBURSEMENT OF MERCED ASSETS; 4) ESCHEAT UNCLAIMED FUNDS TO STATE; 5) RETAIN CLOSING RESERVE; 6) AUTHORIZE DISPOSAL OF LEGACY RECORDS; 7) REMIT RESIDUAL ESTATE ASSETS TO PARENT ENTITY; AND 8) CLOSE ESTATE** by transmitting a true copy via electronic mail, addressed as follows:

Jeffrey D. Neumeyer, Esq.
Sr. Vice President, General Counsel and
Corporate Secretary
United Heritage Financial Group
Email to jneumeyer@unitedheritage.com

Brad Roeber
Executive Director
California Insurance Guarantee Association
Email to roeberb@ciga.org

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on February 21, 2025, at Los Angeles, California.

Gail Agcaoili

Declarant

/s/ Gail Agcaoili

Signature