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ORIGINAL FILED
JUN 30 2006
LOS ANGELES
SUPERIOR COURT

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7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF LOS ANGELES**

9
10 JOHN GARAMENDI, Insurance
Commissioner of the State of California,

) Case No. C 572 724

11 Applicant,

) Honorable John Shepard Wiley Jr.

12 vs.

13 MISSION INSURANCE COMPANY, a
14 California corporation,

) **[PROPOSED] ORDER TO RE-OPEN
PROCEEDINGS ON ENTERPRISE
INSURANCE COMPANY TRUST**

15 Respondent.

16 Consolidated with Case Numbers

) June 30, 2006 at 8:30 a.m.

17 C 576 324; C 576 416;
18 C 576 323; C 576 325; C 629 709

) Department : 50

) Filed: October 31, 1985

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1 On the 30th day of June, 2006, the Court considered the Insurance Commissioner's Motion to
2 re-open the proceedings on Enterprise Insurance Company Trust for the limited purpose of further
3 distribution of funds received through intercompany distributions and funds to be received from
4 California Insurance Guarantee Association. Notice of this motion was give to the service list and to
5 the list of interested parties.

6 The Court finds that no opposition was filed to this Order. The Court finds that the
7 requested relief is not an abuse of discretion, and further is in the best interest of the estate. The
8 Court accordingly GRANTS the motion. The Court re-opens the proceedings on Enterprise
9 Insurance Company Trust as requested for the limited purpose of distributing excess funds.

10 The Court grants the motion to re-open and orders that:

- 11 A. The Court approves the re-opening of the proceedings as to Enterprise Insurance Company Trust;
12 B. The Court approves a distribution to increase the distribution percentage on approved
13 policyholder class claims to one hundred percent of the principal amount of such claims;
14 C. The Court approves the Insurance Commissioner's proposal that in calculating the distribution
15 amounts, the Insurance Commissioner may take into account any distributions of shares pursuant to
16 the rehabilitation plan, to achieve a result that is both appropriate mathematically and consistent with
17 the plan;
18 D. The Insurance Commissioner shall file a declaration of compliance within one hundred eighty
19 days of the order, whereupon the proceedings will again be closed, subject to this Court's continuing
20 jurisdiction, and the Insurance Commissioner shall be discharged as to the sums distributed;
21 E. The Court authorizes the inter-company approvals as to claims against Enterprise Insurance
22 Company Trust as set forth in the Sultan Declaration.

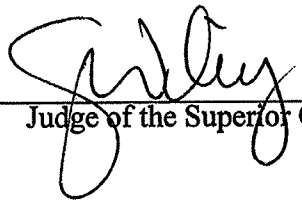
23 This order does not alter the permanent injunction put in place in the order which authorized
24 the closing of the Enterprise Insurance Company Trust, nor does it re-open the claims deadlines in
25 this case. This order does not modify in any way the previous orders of this Court. This order
26 instead merely authorizes re-opening for the sole purpose of distributing additional sums received in
27 the case. This Court retains its jurisdiction over this case for the purpose of administering this
28 distribution and the ultimate distribution of the remaining sums in the Enterprise Insurance

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Company Trust.

So ordered.

Signed this 30 day of JUNE, 2006.



Judge of the Superior Court