

1  
2 XAVIER BECERRA  
3 Attorney General of California  
4 LISA W. CHAO  
5 Supervising Deputy Attorney General  
6 State Bar No. 198536  
7 300 South Spring Street, Suite 1702  
8 Los Angeles, CA 90013  
9 Telephone: (213) 897-2481  
10 Fax: (213) 897-5775  
11 E-mail: Lisa.Chao@doj.ca.gov  
12 *Attorneys for Applicant Insurance Commissioner of*  
13 *the State of California, in his capacity as the*  
14 *Liquidator of American Sterling Insurance Company*

FEE EXEMPT –  
GOV'T CODE § 6103

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of Orange

**10/19/2017 at 03:02:00 PM**  
Clerk of the Superior Court  
By Danielle Jurado, Deputy Clerk

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF ORANGE  
12 CENTRAL JUSTICE CENTER  
13

14 **INSURANCE COMMISSIONER OF THE**  
15 **STATE OF CALIFORNIA,**

16 Applicant,

17 v.

18 **AMERICAN STERLING INSURANCE**  
19 **COMPANY, a California Corporation,**

20 Respondent.  
21

Case No. 30-2011-00510773

**DECLARATION OF COMPLIANCE**

Dept: C14  
Judge: The Honorable Robert J. Moss

Action Filed: September 26, 2011

22 I, Scott Pearce, declare:

23 1. I am the Senior Estate Trust Officer of the Insurance Commissioner of the State of  
24 California's Conservation & Liquidation Office ("CLO"), and have been employed by the CLO  
25 for 14 years. I am the employee responsible for managing the affairs of American Sterling  
26 Insurance Company (American Sterling), which is under the supervision of the Commissioner in  
27 his capacity as its liquidator.

28 ///

1 ///

2 2. As the Senior Estate Trust Officer, I have primary responsibility for the overall  
3 administration of all insolvent insurance companies (referred to as "estates"), including American  
4 Sterling, from the time of conservation or liquidation until the court has discharged the Insurance  
5 Commissioner of his or her duties as Conservator or Liquidator. I serve as a fiduciary, and in this  
6 capacity, I lead and direct a support team consisting of individuals who work in the areas of  
7 Accounting, Claims, Reinsurance, Legal, Finance, Information Technology, Human Resources,  
8 and Administration. I am also responsible for the management of American Sterling's books and  
9 records, and I have overall custody and control thereof. This declaration is based on my personal  
10 knowledge as well as my review of the books and records of American Sterling.

11 3. On June 14, 2017, the Court entered the Order (1) Settling and Approving Final  
12 Report and Account of the Liquidator of American Sterling Insurance Company; (2) Authorizing  
13 Disbursement of Funds; (3) Approving Payment of Expenses; and (4) Terminating Liquidation  
14 Proceeding and Discharging Insurance Commissioner as Liquidator ("Order").

15 4. The Order provided that the Liquidator shall be discharged as the liquidator of  
16 American Sterling upon his filing of a declaration that he distributed the assets of American  
17 Sterling in accordance with the terms of the Order.

18 5. On June 15, 2017, the Liquidator made the following distributions:

- 19 a. \$2,246,224 to approved Class 2 claimants;
- 20 b. \$432,313 to approved Class 7 claimants; and
- 21 c. \$5,558,901 to the approved Class 9 claimant.

22 6. All amounts distributed by the Liquidator have been negotiated.

23 7. The Liquidator has retained \$110,000 for payment of administrative closing  
24 expenses and costs as provided by the Order.

25 8. All legacy books and records of American Sterling in the possession, custody and  
26 control of the Liquidator have been turned over to American Sterling Corporation.


27 ///

28 ///

1 ///

2 9. The Liquidator having taken all action necessary pursuant to the terms of the  
3 Order, the estate is closed concurrent with the filing of this declaration.

4 I declare under the penalty of perjury under the laws of the State of California that the  
5 foregoing is true and correct. Executed this 17th day of October 2017, in San Francisco,  
6 California.

7   
8 \_\_\_\_\_  
Scott Pearce

9  
10 LA2011601483  
52634820.docx

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **Insurance Commissioner v. American Sterling Insurance Company**

No.: **30-2011-00510773**

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; my business address is 300 South Spring Street, Suite 1702, Los Angeles, CA 90013.

On **October 19, 2017**, I served the attached **DECLARATION OF COMPLIANCE** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Mail at Los Angeles, California, addressed as follows:

**Laurel R. Zaeske**  
**Brown Rudnick LLP**  
**2211 Michelson Drive, 7th Floor**  
**Irvine, California 92612**  
*Attorneys for Thomas H. Casey, in his sole capacity as the Chapter 7 Trustee of the Bankruptcy Estate of Lawrence K. Dodge*

**Robert P. Mosier**  
**Mosier & Company, Inc.**  
**3151 Airway Avenue, Suite A-1**  
**Costa Mesa, California 92626**  
*President of American Sterling Corporation*

**William N. Lobel**  
**Lobel Weiland Golden Friedman LLP**  
**650 Town Center Drive, Suite 950**  
**Costa Mesa, California 92626**  
*Attorneys for Lawrence K. Dodge*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on **October 19, 2017**, at Los Angeles, California.

\_\_\_\_\_  
Martha Ochoa  
Declarant

\_\_\_\_\_  
  
Signature