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FILED
SEP 09 1992
GARY L. GRANVILLE, County Clerk
By DEPUTY

6 Attorneys for Applicant
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF ORANGE

10 INSURANCE COMMISSIONER OF THE) CASE NO. 694012
11 STATE OF CALIFORNIA)
12) Applicant,) ORDER APPOINTING
13 v.) LIQUIDATOR AND
14) RESTRAINING ORDER
15 WESTERN INTERNATIONAL INSURANCE)
COMPANY,)
16 a California corporation,) Date: September 3, 1992
Respondent.) Time: 4:00 p.m.
Dept: 31

17 The verified Application for Order Appointing Liquidator of
18 Western International Insurance Company ("Respondent") filed by
19 the Insurance Commissioner ("Applicant") came on regularly for
20 hearing in Department 31 of the above entitled court, the
21 Honorable William F. Rylaarsdam, Judge presiding. Daniel E.
22 Lungren, Attorney General of the State of California, by Edmond B.
23 Mamer, Supervising Deputy Attorney General, appeared for
24 Applicant. Joseph K. Hegedus of Lewis, D'Amato, Brisbois &
25 Bisgaard appeared for Respondent. The matter having been argued
26 and submitted for decision on the papers and files herein and good
27 cause appearing therefore, the court finds that Respondent,
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6992

1 Western International Insurance Company is insolvent.

2 WHEREFORE, IT IS HEREBY ORDERED:

3 1. The Insurance Commissioner of the State of California is
4 appointed in his official capacity as Liquidator of Respondent,
5 Western International Insurance Company, and directed to liquidate
6 and wind up the affairs of Respondent and to act in all ways and
7 exercise all powers necessary for the purpose of carrying out such
8 order, as provided by applicable law;

9 2. Title to all assets of Respondent now in the possession
10 of the Insurance Commissioner as Conservator hereof, as well as
11 title to any assets of said Respondent discovered hereafter is
12 hereby vested in said Liquidator;

13 3. Said Liquidator, as such, is hereby authorized to pay as
14 expenses of administration, all expenses heretofore incurred by
15 the Conservator of Respondent and presently unpaid and is hereby
16 authorized to pay the full amount of any checks or drafts which
17 have been issued by the Conservator of Respondent and which are
18 presently outstanding and unpaid when said checks or drafts are
19 presented for payment;

20 4. The rights and liabilities of claimants, creditors, and
21 all other persons interested in the assets of Respondent,
22 including the State of California, are fixed as of the date of
23 entry of this order;

24 5. Respondent, its officers, directors, agents and employees
25 and all other persons are hereby enjoined from transacting any of
26 the business of Respondent or disposing of any of its California
27 assets or property or any other assets or property of Respondent
28 wheresoever situated;

1 6. All persons are hereby enjoined from interfering with the
2 possession, title and rights of Applicant, as Liquidator, in and,
3 to the assets of Respondent, and from interfering with the conduct
4 of the liquidation and the winding up of the business of
5 Respondent;

6 7. All persons are hereby enjoined from waste of assets of
7 Respondent;

8 8. All persons are hereby enjoined from instituting or
9 prosecuting or maintaining any action at law or suit in equity
10 against Respondent, or Applicant as Liquidator of Respondent,
11 without the consent of this court obtained after reasonable notice
12 to said Liquidator;

13 9. All persons are hereby enjoined from obtaining
14 preferences, judgments, attachments or other liens, or making any
15 levy against Respondent or its assets without the consent of this
16 court obtained after reasonable notice to said Liquidator;

17 10. All officers, directors, agents and employees of
18 Respondent are hereby ordered to deliver all books, records,
19 equipment and other assets of Respondent wheresoever situated to
20 said Liquidator;

21 11. All funds and bank accounts in the name of Respondent,
22 or Applicant as Conservator, in various banks or in any other bank
23 wheresoever situated, are vested in Applicant as Liquidator and
24 subject to withdrawal upon his order only;

25 12. All insurance agents and brokers in the State of
26 California are hereby ordered to account to Applicant as
27 Liquidator of Respondent for all funds of Respondent held by them
28 in their fiduciary capacity, as specified in Sections 1733, 1734

1 and 1735 of the Insurance Code, or due to Respondent, and that
2 said funds are vested in Applicant as Liquidator, and said funds
3 are to be forwarded by such insurance agents and brokers to said
4 Liquidator unless otherwise directed by the Liquidator; and

5 13. The Liquidator is authorized to initiate such equitable
6 or legal actions or proceedings in this or other states as may
7 appear to him necessary to carry out his functions as Liquidator.

8 DATED: September 9, 1992

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W.F. RYLAARSDAM
WILLIAM F. RYLAARSDAM
Judge of the Superior Court

APPROVED AS TO FORM

By: *Joseph K. Hegedus* 9/8/92
JOSEPH K. HEGEDUS
LEWIS, D'AMATO, BRISBOIS & BISGAARD
Attorneys for Respondent, Western
International Insurance Company

THIS INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL
ON FILE WITH HIS OFFICE
SEP 09 1992

ATTEST: GARY L. GRANVILLE
County Clerk and Clerk of the
Superior Court of the State of California
and for the County of Orange

BY *Gary L. Granville* DEPUTY



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