

GC 6103 No Fee required.

ORIGINAL

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

KAMALA D. HARRIS  
Attorney General of California  
W. DEAN FREEMAN  
FELIX E. LEATHERWOOD  
Supervising Deputy Attorneys General  
LISA W. CHAO  
Deputy Attorney General  
State Bar No. 198536  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 897-2481  
Fax: (213) 897-5775  
E-mail: Lisa.Chao@doj.ca.gov

RECEIVED

AUG 01 2011

Dept. 322

**FILED**  
LOS ANGELES SUPERIOR COURT

AUG 03 2011

JOHN A. CLARKE, CLERK  
*[Signature]*  
BY ELMER SABALBURO, DEPUTY

*Attorneys for Applicant Dave Jones,  
Insurance Commissioner of the State of California,  
in his capacity as Liquidator of Superior National  
Insurance Company, Superior Pacific Casualty  
Company, California Compensation Insurance  
Company, Commercial Compensation Casualty  
Company and Combined Benefits Insurance  
Company*

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

CENTRAL CIVIL WEST

**INSURANCE COMMISSIONER OF THE  
STATE OF CALIFORNIA ,**  
  
Applicant,  
  
v.  
  
**SUPERIOR NATIONAL INSURANCE  
COMPANY,**  
  
Respondent.

Case No.: BS061974  
Consolidated with: BS061675  
BS062171  
BS062173  
BS063746

~~PROPOSED~~ ORDER APPROVING  
LIQUIDATOR'S PROPOSAL TO  
DISBURSE ASSETS TO CERTAIN STATE  
INSURANCE GUARANTEE  
ASSOCIATIONS AND NOT COVERED  
POLICYHOLDER

Dept: 322-CCW  
Judge: The Honorable Carl J. West

Hearing date: None  
Last day to serve and file objection and  
opposition: August 1, 2011

1           The Court after reviewing the Application for Order Approving Liquidator's Proposal to  
2 Disburse Assets to Certain State Insurance Guarantee Associations and Not Covered  
3 Policyholders ("Application") and the Declarations submitted in support thereof, all of which  
4 were filed in Department 322-CCW of the above-entitled Court and served on all parties, and the  
5 associations in and the commissioners of insurance of each of the states by certified United States  
6 First Class Mail on or before July 1, 2011, and the last day to file and to serve an objection or  
7 opposition to said Application having been August 1, 2011, and no objection or application  
8 having been filed as of that date;


9           IT IS HEREBY ORDERED that:

- 10           1.       The requirements of Insurance Code section 1035.5 have been satisfied;
- 11           2.       The Court approves the proposal of the Liquidator of California Compensation  
12 Insurance Company to distribute and pay a total of \$55,024,210 from the assets of California  
13 Compensation Insurance Company to certain insurance guarantee associations and policyholders  
14 as set forth in the Application;
- 15           3.       The Court approves the proposal of the Liquidator of Combined Benefits  
16 Insurance Company to distribute and pay a total of \$1,752 from the assets of Combined Benefits  
17 Insurance Company to certain policyholders as set forth in the Application;
- 18           4.       The Court approves the proposal of the Liquidator of Superior National Insurance  
19 Company to distribute and pay a total of \$49,314,946 from the assets of Superior National  
20 Insurance Company to certain insurance guaranty associations and policyholders as set forth in  
21 the Application;
- 22           5.       The Court approves the proposal of the Liquidator of Superior Pacific Casualty  
23 Company to distribute and pay a total of \$1,788 from the assets of Superior Pacific Casualty  
24 Company to certain policyholders as set forth in the Application;
- 25           6.       The Court approves the proposal of the Liquidator of Commercial Compensation  
26 Casualty Company to distribute and pay a total of \$10,134,352 from the assets of Commercial  
27 Compensation Casualty Company to certain insurance guarantee associations and policyholders  
28 as set forth in the Application; and

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

7. The Liquidator is authorized to take any and all action necessary to accomplish the purposes of this Order.

Dated: 8-3-11

  
The Honorable Carl J. West  
Judge of the Superior Court

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

Case Name: **Insurance Commissioner v. Superior National Insurance Co.**

No.: **BS 061974**

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. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On July 1, 2011, I served the attached **[PROPOSED] ORDER APPROVING LIQUIDATOR'S PROPOSAL TO DISBURSE ASSETS TO CERTAIN STATE INSURANCE GUARANTEE ASSOCIATIONS AND NOT COVERED POLICYHOLDER** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013, addressed as follows:

**SEE ATTACHED SERVICE LIST**

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 July 1, 2011, at Los Angeles, California.

\_\_\_\_\_  
Linda Richardson  
Declarant

*Linda Richardson*  
\_\_\_\_\_  
Signature

**SERVICE LIST**

**CASE: INSURANCE COMMISSIONER v. SUPERIOR NATIONAL  
INSURANCE COMPANY and CONSOLIDATED PROCEEDINGS**

**CASE NO: BS 061974**

<p><b>Brad R. Godshall, Esq.</b>  <b>Iain A.W. Nasatir, Esq.</b>  PACHULSKI STANG ZIEHL YOUNG &amp;  JONES  10100 Santa Monica Blvd., 11th Floor  Los Angeles, CA 90067  Tel: (310) 277-6910 / Fax: (310) 201-0760  inasatir@pszyjlaw.com</p>	<p><b>Robert E. Nagle</b>  General Counsel &amp; Vice President  Superior Natl. Ins. Group, Inc.  49 Peregrine Circle  Oak Park, CA 91377</p>
<p><b>Peter J. Gurfein, Esq.</b>  LANDAU GOTTFRIED &amp; BERGER LLP  1801 Century Park East, Suite 1460  Los Angeles, CA 90067  Tel (310) 557-0050 / Fax: (310) 557-0056  (Centre Insurance Company)  pgurfein@lgbfirm.com</p>	<p><b>Louis J. Cisz, III</b>  <b>Matthew A. Richards</b>  <b>Gina M. Fornario</b>  Nixon Peabody LLP  One Embarcadero Center, 18th Flr.  San Francisco, CA 94111-3600  lcisz@nixonpeabody.com  mrichards@nixonpeabody.com  gfornario@nixonpeabody.com</p>
<p><b>Joseph K. Hegedus, Esq.</b>  LEWIS, BRISBOIS, BISGAARD &amp; SMITH,  LLP  221 N. Figueroa Street, Suite 1200  Los Angeles, CA 90012  Tel: (213) 250-1800 / Fax: (213) 250-7900  hegedus@lslaw.com</p>	<p><b>C. Guerry Collins, Esq.</b>  LOCKE LORD BISSELL &amp; LIDDELL  300 S. Grand Avenue, Ste. 800  Los Angeles, CA 90071-3200  Tel: (213) 687-6719 / Fax: (213) 485-1200  (California Insurance Guarantee  Association)  gcollins@lockelord.com</p>
<p><b>Terence Kenney</b>  WILD CAREY &amp; FIFE  120 Montgomery Street, Suite 1000  San Francisco, CA 94104-4313  Tel: (415) 837-3101 / Fax:(415) 837-3111  (Kitchen Works, Inc.)  Terencekenney@wcandf.com</p>	<p><b>Roxanni Gillespie, Esq.</b>  BARGER &amp; WOLEN  650 California Street, 9th Floor  San Francisco, CA 94108  Tel: (415) 434-2800/ Fax: (415) 434-2533</p>
<p><b>Henry A. Knebel, Esq.</b>  The Law Offices of Henry Knebel  28042 Avenue Stanford, Unit E.  Valencia, CA 91355  knebelh@earthlink.net</p>	<p><b>Philip A. O'Connell, Jr., Esq.</b>  <b>Katherine Eddy, Esq.</b>  SONNENSHEIN NATH &amp; ROSENTHAL  525 Market Street, 26th Floor  San Francisco, CA 94105  Tel: (415) 882-5000 / Fax: (415) 543-5472  poconnelljr@sonnenschein.com  (Centre Insurance Company)</p>

<p><b>Michael S. Lurey, Esq.</b>  <b>Annisa D. Seymour, Esq.</b>  LATHAM &amp; WATKINS  355 S. Grand Avenue, 1st Floor  Los Angeles, CA 90071  Tel: (213) 485-1234 / Fax: (213) 891-8763  Michael.lurey@lw.com</p>	<p><b>Gerald C. Pluard Jr., Esq.</b>  Kemper Insurance Companies – Legal  One Temper Drive  Long Grove, Illinois 60049-0001  Tel: (847) 320-2000 / Fax: (847) 320-4202  (Lumberman’s Mutual Casualty Co. or  Kemper Insurance Companies)</p>
<p><b>James Stinson</b>  Sidley Austin LLP  One South Dearborn  Chicago, IL 60603</p>	<p><b>Joel Ross</b>  RISK ENTERPRISE MANAGEMENT LTD.  2540 Route 130, Suite 109  Cranbury, NJ 08512  (Risk Enterprise Management Ltd.)</p>
<p><b>John McPherson</b>  BARGER &amp; WOLEN, LLP  633 W. 5th Street, 47th Floor  Los Angeles, CA 90071  Tel: (213) 680-2800/ Fax: (213) 614-7399  (Risk Enterprise Management Ltd.)  jmcpherson@bargerwolen.com</p>	<p><b>J. Chris Seaman</b>  30101 Agoura Court, Suite 222  Agoura Hills, CA 91301</p>
<p><b>William D. Morrow, Esq.</b>  <b>Anthony C. Edwards, Esq.</b>  MORROW &amp; WHITE  535 Anton Blvd., Suite 1150  Costa Mesa, CA 92626  billmorrow@morrow-white.com</p>	<p><b>Edward C. Shoop</b>  52 Fox Run Rd.  Essex Junction, VT 05452</p>
<p><b>Michael C. Zellers, Esq.</b>  <b>Michelle McAloon, Esq.</b>  TUCKER ELLIS &amp; WEST LLP  515 S. Flower Street, 42nd Floor  Los Angeles, CA 90071  Tel: (213) 430-3400 / Fax: (213) 430-3409  Michael.zellers@tuckerellis.com</p>	<p><b>David A. Thompson</b>  REED SMITH LLP  101 Second Street  San Francisco, CA 94105  Tel: (415) 543-8700 / Fax: (415) 391-8269  dthompson@reedsmith.com</p>
<p><b>Wayne Wilson</b>  California Ins. Guarantee Association  101 N. Brand Blvd., Suite 600  Glendale, CA 91203  Tel: (323) 782-0252/ Fax: (323) 782-1489</p>	<p><b>Linda Dakin-Grimm, Esq.</b>  Milbank Tweed Hadley &amp; McCloy LLP  601 S. Figueroa St., 30th Floor  Los Angeles, CA 90017  Ldakin-grimm@milbank.com</p>

<p><b>Andrew S. Amer</b>  Simpson Thacher &amp; Bartlett LLP  425 Lexington Avenue  New York, New York 10017  Tel: (212) 455-2000 /  Fax: (212) 455-2502  aamer@stblaw.com</p>	<p><b>Deborah L. Stein</b>  <b>Christopher A. Sant</b>  Simpson Thacher &amp; Bartlett LLP  1999 Avenue of the Stars, 29th Flr.  Los Angeles, CA 90067  Tel: (310) 407-7500  Fax: (310) 407-7502  dstein@stblaw.com</p>
<p><b>Brian Currey, Esq.</b>  <b>Erick Y. Kizirian, Esq.</b>  O'Melveny &amp; Meyers LLP  400 So. Hope Street  Los Angeles, CA 90071-2899</p>	<p><b>Gary A. Nye, Esq.</b>  <b>Michael B. Adreani, Esq.</b>  Roxborough, Pomerance Nye &amp; Adreani  5820 Canoga Ave., #250  Woodland Hills, CA 91367  gan@rpnalaw.com  nba@rpnalaw.com</p>
<p><b>Christopher Norgaard, Esq.</b>  <b>Nina B. Ries, Esq.</b>  NEWELL, CAMPBELL &amp; ROCHE LLP  633 W. 5th Street, Suite 2600  Los Angeles, CA 90071  Tel: (213) 223-2030 / Fax: (213) 223-2029</p>	<p><b>Ronie M. Schmelz</b>  Sidley Austin LLP  555 West Fifth Avenue  Suite 4000  Los Angeles, CA 90013  rschmelz@sidley.com</p>
<p><b>Linda M. Lasley, Esq.</b>  Lewis Brisbois, Bisgaard &amp; Smith  221 No. Figueroa St., Ste. 1200  Los Angeles, CA 90012  lasley@lbbslaw.com</p>	<p><b>Sharon E. Sonnett</b>  Sonnett &amp; Associates  333 South Grand Ave., Suite 3550  Los Angeles, CA 90071  ssonnett@sonnettingold.com</p>
<p><b>Raymond J. Lester</b>  Vice President &amp; Associate General  Counsel  Trustmark Insurance Company  400 Field Drive  Lake Forest, Illinois 60045</p>	