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*Exempt from filing fees per Govt.
Code § 6103*

**ELECTRONICALLY
FILED**
*Superior Court of California,
County of San Francisco*
12/12/2022
Clerk of the Court
BY: ERNALYN BURA
Deputy Clerk

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

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

Applicant,

v.

**SABLE INSURANCE COMPANY, A
CALIFORNIA DOMICILED INSURANCE
COMPANY,**

Respondent.

Case No. CGC-01-321201

**DECLARATION OF COMPLIANCE BY
SCOTT PEARCE CONFIRMING THE
DISTRIBUTION OF SURPLUS
RESERVES PURSUANT TO COURT
ORDER AND CLOSING THE ESTATE
OF SABLE INSURANCE COMPANY**

1 Distribution of Surplus Reserves to Approved Class 2 Claimants (Motion). A true and correct
2 copy of the Order is attached hereto as **Exhibit A**.

3 6. Pursuant to the Order, the Commissioner distributed surplus reserves in the amount of
4 \$1,421,000 to approved Class 2 claimants (identified by their proof of claim number) as follows:

5

Proof of Claim Number	Surplus Distribution Amount
10710	388.18
37015	141.70
10631	15,346.75
33325	85.45
10778	4,045.36
22031	12,361.74
22033	30.33
22054	336.10
22011	1,388,264.39
	\$ 1,421,000.00

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18 7. The Commissioner retained \$75,000 in an administrative budget to pay for the costs
19 to prepare and release the distribution.

20 8. The Commissioner will maintain the records currently in his possession that are in
21 connection with this distribution for three years from the date of this declaration.

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9. The distribution to the approved claimants pursuant to the Court's October 27, 2022, Order, was completed on December 6, 2022. Pursuant to paragraph three (3) of the Order, this case shall be closed upon the filing of the present declaration stating that the Commissioner has completed its distribution to Class 2 claimants in accordance with the Order in this matter.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 9th day of December, 2022, in San Francisco, California.



SCOTT PEARCE

SF2001CV0612
65612344.docx

EXHIBIT A

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7 *Attorneys for Applicant Insurance Commissioner
of the State of California*

FILED
San Francisco County Superior Court

OCT 27 2022

CLERK OF THE COURT

Car M...
Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9
10 COUNTY OF SAN FRANCISCO

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

14 Applicant,

15 v.

17 **SABLE INSURANCE COMPANY, A
CALIFORNIA DOMICILED INSURANCE
18 COMPANY,**

19 Respondent.

Case No. CGC-01-321201

**[PROPOSED] ORDER APPROVING
MOTION TO REOPEN PROCEEDINGS
FOR LIMITED PURPOSE AND
20 MOTION FOR ORDER APPROVING
DISTRIBUTION OF SURPLUS
RESERVES TO APPROVED CLASS 2
CLAIMANTS**

Date: October 27, 2022

Time: 9:30 a.m.

Dept: 302

Judge: Hon. Richard B. Ulmer Jr.

Trial Date: N/A

Action Filed: May 9, 2001

22 Hearing on the Insurance Commissioner of the State of California's Motion (1) To Reopen
23 Proceedings for Limited Purpose; and (2) For Order Approving Distribution of Surplus Assets to
24 Approved Class 2 Insurance Guaranty Association Claimants came on regularly for hearing
25 before the Honorable Richard B. Ulmer Jr., judge presiding, Department 302 of the San Francisco
26 County Superior Court on October 27, 2022.

1 The Insurance Commissioner of the State of California was represented by Rob Bonta,
2 Attorney General of the State of California, by Caroline C. Lam, Deputy Attorney General.
3 There were no other appearances.

4 The motion was not opposed, and having been duly noticed and good cause appearing
5 therefore, is hereby granted.

6 IT IS HEREBY ORDERED that:

7 1. *Insurance Commissioner of the State of California v. Sable Insurance Company*, Case
8 No. CGC-01-321201, San Francisco County Superior Court Case No. BS 075685, is reopened for
9 the sole and limited purpose of making a distribution of surplus assets to Class 2 claimants;

10 2. The Insurance Commissioner is authorized to retain \$75,000 in an administrative
11 budget to pay for the costs to prepare and release the distribution;

12 3. *Insurance Commissioner of the State of California v. Sable Insurance Company*, Case
13 No. CGC-01-321201, San Francisco County Superior Court Case No. BS 075685, shall be closed
14 upon the filing of a declaration that the Commissioner has completed its distribution to Class 2
15 claimants in accordance with this Court's order in this matter;

16 4. If there are any assets remaining after the Insurance Commissioner has completed all
17 his closing tasks, such remainder shall be escheated to the fund appropriated for the maintenance
18 of the Department of Insurance pursuant to Insurance Code section 12937; and

19 5. The Insurance Commissioner is authorized to take any action necessary to accomplish
20 the purpose of this Order.

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23 Dated: 10/27/22

By
24 Hon. Richard B. Ulmer Jr.
25 JUDGE OF THE SUPERIOR COURT
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DECLARATION OF SERVICE BY U.S. MAIL

Case Name: The Insurance Commissioner of the State of California v. Sable Ins. Company
Case No.: CGC-01-321201

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 with postage thereon fully prepaid that same day in the ordinary course of business.

On December 12, 2022, I served the attached **DECLARATION OF COMPLIANCE BY SCOTT PEARCE CONFIRMING THE DISTRIBUTION OF SURPLUS RESERVES PURSUANT TO COURT ORDER AND CLOSING THE ESTATE OF SABLE INSURANCE COMPANY** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 300 South Spring Street, Suite 1702, Los Angeles, CA 90013-1230, addressed as follows:

SEE ATTACHED SERVICE LIST

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 December 12, 2022, at Los Angeles, California.

Cecilia Apodaca

Declarant

/s/ Cecilia Apodaca

Signature

SERVICE LIST (CONT.)

Case Name: The Insurance Commissioner of the State of California v. Sable Ins. Company
Case No.: CGC-01-321201

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