

ENDORSED
FILED
San Francisco County Superior Court

NOV 05 2015

CLERK OF THE COURT

BY: FELICIA M. GREEN
Deputy Clerk

KAMALA D. HARRIS
Attorney General of the State of California
JOYCE E. HEE (State Bar No. 88610)
Supervising Deputy Attorney General
ANNE MICHELE BURR
State Bar No. 158302
Deputy Attorney General
455 Golden Gate, Suite 11000
San Francisco, California 94102-7004
Telephone: (415) 703-1403
Facsimile: (415) 703-5480
Email: AnneMichele.Burr@doj.ca.gov
*Attorney for Applicant Dave Jones,
Insurance Commissioner of the State of California,
in his Capacity as Conservator of
Majestic Insurance Company*

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

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

Applicant,

v.

**MAJESTIC INSURANCE COMPANY, and
DOES 1-50, inclusive,**

Respondents.

Case No. CPF-11-511261

**[PROPOSED] ORDER APPROVING
PAYMENT OF CONSERVATOR'S
ADMINISTRATIVE EXPENSES AND
PROFESSIONAL FEES, APPROVING
THE FINAL DISTRIBUTION OF
ASSETS, AND CLOSING THE ESTATE**

Date: November 5, 2015
Time: 9:30 a.m.
Dept: 302
Reservation No. 09221105-13

1 The Insurance Commissioner as Conservator of Majestic Insurance Company (also
2 "Conservator"), has applied for an order approving payment of administrative expenses and
3 professional fees, the final distribution of assets, and closing the conservation estate of Majestic
4 Insurance Company (the Majestic estate").

5 Good cause appearing, IT IS HEREBY ORDERED that:

6 1. The Conservator's payment of \$697,675.55 for general operating and
7 administrative expenses for services rendered to the Majestic estate and paid from January 1,
8 2014 through March 31, 2015 is approved;

9 2. The Conservator's payment of professional fees and expenses to Orrick,
10 Herrington and Sutcliffe, LLP in the total amount of \$104,931.50 for legal services provided to
11 the Conservator for the Majestic estate and paid between January 1, 2014 through March 31, 2015
12 is approved;

13 3. The Conservator is authorized to distribute approximately \$3,100,000.00 to
14 Embarcadero Liquidating Trust, pursuant to Insurance Code section 1033(a)(9). The distributions
15 shall be made within two weeks of receipt of the signed order from the Court;

16 4. The Conservator is authorized to retain the sum of \$403,421 for payment of
17 administrative expenses incurred but not yet paid by the Conservator as of March 31, 2015, and
18 for future administrative and closing costs with any remaining balance to be distributed to the
19 Embarcadero Liquidating Trust or its successor in interest;

20 5. The Insurance Commissioner is authorized to maintain in the Conservation &
21 Liquidation Office imaged databases of all records of Majestic for a period of three years from
22 the date of the Court's order, and thereafter the Insurance Commissioner is authorized to destroy
23 all records of Majestic Insurance Company, except for those records necessary for examination
24 by the Department of Finance or the auditor of the Insurance Commissioner's books and records
25 pursuant to section 1061;

26 6. The estate of Majestic Insurance Company shall be closed and the Insurance
27 Commissioner shall be discharged as Conservator upon the filing of a declaration that the
28 Insurance Commissioner has distributed the assets of Majestic in accordance with this Court's

1 order approving final distribution. The Insurance Commissioner, his Special Deputies, the
2 Conservation and Liquidation Office, its employees, the California Department of Insurance, and
3 its personnel, and the Insurance Commissioner's agents and attorneys, shall be, upon such filing,
4 discharged from any and all claims, debts, liabilities, or duties to further account for the assets or
5 liabilities of Majestic Insurance Company through the date of the declaration, and shall have no
6 liability of any kind or nature for such claims or debts; and

7 7. The Insurance Commissioner is authorized to take any and all action necessary to
8 accomplish the purposes of the Order prayed for herein.

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11 Dated: Nov. 5, 2015.

ERNEST H. GOLDSMITH

Judge of the Superior Court

1 KAMALA D. HARRIS
Attorney General of California
2 JOYCE E. HEE
Supervising Deputy Attorney General
3 ANNE MICHELLE BURR
Deputy Attorney General
4 State Bar No. 158302
455 Golden Gate Avenue, Suite 11000
5 San Francisco, California 94102-7004
Telephone: (415) 703-1403
6 Fax: (415) 703-5480
E-mail: AnneMichelle.Burr@doj.ca.gov

7 *Attorneys for Applicant*
8 *Dave Jones, Insurance Commissioner of the State of*
California in his Capacity as Conservator of
9 *Majestic Insurance Company*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF SAN FRANCISCO
12 CIVIL DIVISION
13

14 DAVE JONES, INSURANCE
15 COMMISSIONER OF THE STATE OF
16 CALIFORNIA

17 Applicant,

18 v.

19 MAJESTIC INSURANCE COMPANY, and
20 DOES 1-50, inclusive,

21 Respondents.
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28

Case No. CPF-11-511261

**DECLARATION OF SERVICE OF
ORDER APPROVING PAYMENT OF
CONSERVATOR'S ADMINISTRATIVE
EXPENSES AND PROFESSIONAL
FEES, APPROVING THE FINAL
DISTRIBUTION OF ASSETS, AND
CLOSING THE ESTATE, AND
SUPPORTING DECLARATIONS**

Date: November 5, 2015
Time: 9:30 a.m.
Dept: 302
Reservation No. 09221105-13

DECLARATION OF SERVICE

Case Name: Dave Jones, Insurance Commissioner of the State of California v. Majestic Insurance Company, and Does 1-50-inclusive

No.: CPF-11-511261

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: 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004. 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.

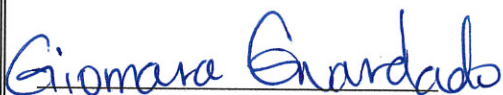
On November 5, 2015 I served the attached:

ORDER APPROVING PAYMENT OF CONSERVATOR'S ADMINISTRATIVE EXPENSES AND PROFESSIONAL FEES, APPROVING THE FINAL DISTRIBUTION OF ASSETS, AND CLOSING THE ESTATE

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 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, 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 November 5, 2015 at San Francisco, California.




Signature

SERVICE LIST

Linda J. Clark
Hiscock & Barclay, LLP
50 Beaver Street
Albany, NY 12207

*Attorney for Former Members of Group Self-
Insurance Workers' Compensation Trust
Administered by an Affiliate of Majestic
Insurance Company*

Robert K. Edmunds
Buchanan Intersoll & Rooney, LLP
One America Plaza
600 West Broadway, Suite 1100
San Diego, CA 92101
Attorneys for Xtium, LLC

David R. Pfalzgraf, Jr.
Daniel E. Sarzynski
Charles D.J. Case
Rupp, Baase, Pfalzgraf, Cunningham &
Coppola LLC
1600 Liberty Building
Buffalo, NY 14202
*Attorneys for New York State Workers'
Compensation Board*

Abe M. Rychik
Katz & Rychik P.C.
30 Broad Street, 8th Floor
New York, New York 10004
Attorneys for Remco Maintenance LLC

Karl Belgum
Nixon Peabody, LLP
One Embarcadero Center
18th Floor
San Francisco, CA 94111-3600
*Attorneys for Contractors Access Program of
California*

Robert N. Berg, Esq.
Michelman & Robinson LLP
One Post, Suite 2500
San Francisco, CA 94105
*Attorneys for Majestic USA Capital, Inc. Inc.,
Majestic Capital, Ltd., Compensation Risk
Managers, LLC, Compensation Risk Managers
of California, LLC, Eimar, LLC and
Embarcadero Insurance Holdings, Inc.*

Craig S. Bloomgarden
Manatt, Phelps & Phillips, LLP
11355 West Olympic Boulevard
Los Angeles, CA 90064-1614
*Attorney for New York State Workers'
Compensation Board*

Glen A. Van Dyke
Van Dyke Law Group
12277 Soaring Way, Suite 206
Truckee, CA 96161
*Attorney for Mark Tanner Construction, Inc.,
Doc Gelso Construction, Inc., Mt. Lincoln
Construction, Inc. and Sierra Paint &
Chemical, Inc.*

Laszlo Komjathy, Jr.
Attorney IV
California Department of Insurance
45 Fremont Street, 24th Floor
San Francisco, CA 94105
Attorney for the Conservator