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Attorneys for Applicant Ricardo Lara,
Insurance Commissioner of the State of California
in his Capacity as Liquidator of
CastlePoint National Insurance Company

FILED
San Francisco County Superior Court

SEP 15 2022

COURT
BY: 
Deputy Clerk

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

SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

INSURANCE COMMISSIONER OF THE
STATE OF CALIFORNIA,

Applicant,

v.

CASTLEPOINT NATIONAL INSURANCE
COMPANY, and DOES 1-50, inclusive,

Respondents.

Case No. CPF-16-515183

Reservation No. [N/A]

**[PROPOSED] ORDER APPROVING
APPLICATION FOR ORDER
AUTHORIZING: (1) EARLY ACCESS
DISTRIBUTION OF ASSETS TO
STATE INSURANCE GUARANTY
FUNDS; AND (2) SETTLEMENT
AGREEMENT AND EARLY
HARDSHIP PARTIAL
DISTRIBUTION OF FUNDS TO
CLASS TWO CLAIMANT KAREN
WILKIE**

**Date: September 15, 2022
Time: 9:30 a.m.
Dept: 302
Judge: Hon. Ethan P. Schulman**

1 The Insurance Commissioner's Application for Order Authorizing: (1) Early Access
2 Distribution of Assets to State Insurance Guaranty Funds; and (2) Settlement Agreement and
3 Early Hardship Partial Distribution of Funds to Class Two Claimant Karen Wilkie (collectively,
4 "Application") was scheduled for hearing on September 15, 2022 in Department 302 before the
5 Honorable ^{Richard Ulmer} ~~Ethan P. Schulman~~. No opposition or other response to the Commissioner's
6 Application has been filed with the Court. The Court, having duly considered the Application
7 and supporting documents, including the accompanying Memorandum of Points and Authorities
8 and Declaration of Joseph Holloway ("Declaration") and accompanying exhibits, as well as the
9 absence of any filed opposition or other response, and

10 GOOD CAUSE appearing therefor,

11 IT IS ORDERED that:

12 1. Authorizing the Commissioner to transfer a total of approximately \$60,028,780 of
13 the net assets of the estate of CastlePoint to the state insurance guaranty funds or similar entities
14 in the amounts set forth in Exhibit A to the Holloway Declaration, provided that prior to any such
15 distribution, the state insurance guaranty fund in question has executed and delivered to the
16 Commissioner an agreement, substantially in the form set forth in Exhibit C to the Holloway
17 Declaration, to return the distributed assets as required to pay claims of secured creditors and
18 claims falling within the priorities established in Insurance Code section 1033, subdivisions (a)(1)
19 and (a)(2);

20 2. Authorizing and ratifying Commissioner's settlement with Wilkie as set forth in
21 the Wilkie Agreement, attached as Exhibit D to the Holloway Declaration, and authorizing the
22 Commissioner to consummate the Wilkie Agreement and make the early hardship partial
23 distribution to Wilkie described therein; and

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3. Authorizing the Commissioner to take any and all action necessary to carry out the Order requested herein.

IT IS SO ORDERED

Dated: 9/15/22

Rich (Ulmer)
~~THE HONORABLE ETHAN P. SCHULMAN~~
JUDGE OF THE SUPERIOR COURT

RICHARD B. ULMER