



(Fee Exempt Pursuant  
to Gov. Code 6103)

XAVIER BECERRA  
Attorney General of California  
LISA W. CHAO  
Supervising Deputy Attorney General  
State Bar No. 198536  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 269-6239  
Fax: (213) 897-5775  
E-mail: Lisa.Chao@doj.ca.gov  
*Attorneys for Applicant 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*

**CONFORMED COPY  
ORIGINAL FILED**  
Superior Court of California  
County of Los Angeles

**APR 02 2019**

Sherri R. Carter, Executive Officer/Clerk of Court

By: Brigitte De La Rosa, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

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

Applicant,

v.

**SUPERIOR NATIONAL INSURANCE  
COMPANY,**

Respondent.

Case No.: BS061974

Consolidated with: BS061675  
BS062171  
BS062173  
BS063746

**LIQUIDATOR'S NOTICE OF MOTION  
AND MOTION FOR ORDER SETTING  
DATES FOR LIQUIDATION OF  
UNLIQUIDATED OR UNDETERMINED  
CLAIMS; MEMORANDUM OF POINTS  
AND AUTHORITIES IN SUPPORT  
THEREOF**

**[DECLARATION OF JOHN BATTLE  
FILED CONCURRENTLY HERewith]**

Date: May 2, 2019  
Time: 2:00 p.m.  
Dept: 14  
Judge: The Honorable Kenneth R.  
Freeman

1 TO ALL INTERESTED PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 2, 2019 at 2:00 p.m., or as soon thereafter as the  
3 matter may be heard in Department 14 of the Los Angeles County Superior Court, Spring Street  
4 Courthouse, located at 312 North Spring Street, Los Angeles, California, 90012, applicant  
5 Insurance Commissioner of the State of California (Liquidator), in his capacity as Liquidator of  
6 Superior National Insurance Company, Superior Pacific Casualty Company, California  
7 Compensation Insurance Company, Combined Benefits Insurance Company and Commercial  
8 Compensation Casualty Company (collectively, the Insolvent Companies), will and hereby does  
9 move the Court for an order setting **June 30, 2019** (Liquidation Date) as the deadline by which all  
10 reported unliquidated or undetermined claims and unreported claims entitled to priority pursuant  
11 to Insurance Code section 1033, subdivision (a)(2) (Class 2) must be liquidated; and **August 30,**  
12 **2019** (Claims Update Date) as the deadline for claimants with open Class 2 claims to file claim  
13 update forms or for claimants to file previously unreported Class 2 claims with the Liquidator  
14 establishing their claims were liquidated and definitively determined as of the Liquidation Date.

15 The motion is made pursuant to Insurance Code section 1025, which provides that  
16 unliquidated or undetermined claims shall not share in any distribution "until such claims have  
17 been definitely determined, proved and allowed." The requested relief also requires claimants to  
18 submit claims update forms or new claims by the Claims Update Date to the Liquidator for  
19 determination as to whether the liquidated claims will be allowed. The motion, if granted, shall  
20 have the effect of denying any such claim that is not liquidated or not determined within the  
21 meaning of Insurance Code section 1025 by the Liquidation Date and/or if the claim update forms  
22 or new claims are not submitted by the Claims Update Deadline.

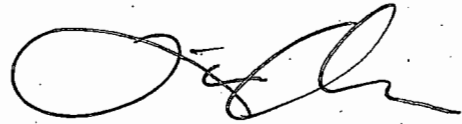
23 The motion shall be based on this notice, the accompanying Memorandum of Points and  
24 Authorities in support thereof, the Declaration of John Battle, the pleadings and papers on file in  
25 this matter, and such additional evidence and argument as may be offered at the time of the  
26 hearing on this motion.

1 PLEASE TAKE FURTHER NOTICE that any opposition or objection to this Motion shall  
2 be filed and served on or before April 12, 2019, and any reply shall be filed and served on or  
3 before April 18, 2019.

4  
5 Dated: April 2, 2019

Respectfully Submitted,

6 XAVIER BECERRA  
7 Attorney General of California

8 

9 LISA W. CHAO  
10 Supervising Deputy Attorney General  
11 *Attorneys for Applicant Insurance*  
12 *Commissioner of the State of California, in*  
13 *his capacity as Liquidator of Superior*  
14 *National Insurance Company, Superior*  
15 *Pacific Casualty Company, California*  
16 *Compensation Insurance Company,*  
17 *Commercial Compensation Casualty*  
18 *Company and Combined Benefits*  
19 *Insurance Company*  
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **INTRODUCTION**

3 Applicant Insurance Commissioner of the State of California (Liquidator), in his capacity as  
4 the Liquidator of Superior National Insurance Company, Superior Pacific Casualty Company,  
5 California Compensation Insurance Company, Combined Benefits Insurance Company and  
6 Commercial Compensation Casualty Company (collectively, the Insolvent Companies) seeks an  
7 order to liquidate as yet unliquidated and undetermined claims asserted against the Insolvent  
8 Companies. The relief sought by this motion is another step toward winding up the liquidation of  
9 the Insolvent Companies. The Liquidator must determine the scope of the Insolvent Companies'  
10 liability so that he may make final pro rata distributions of their assets.

11 While unliquidated and undetermined claims may be filed against an insolvent insurer's  
12 estate and reported to the Liquidator, Insurance Code<sup>1</sup> section 1025 specifies that such claims  
13 cannot share in any distribution to creditors until they are "definitely determined, proved and  
14 allowed." Unliquidated or undetermined claims were filed with the Insolvent Insurers asserting  
15 claims arising out of insurance policies entitled to priority under section 1033, subdivision (a)(2)  
16 (Class 2).

17 More than 18 years after the liquidation of the Insolvent Companies, a number of  
18 unliquidated or undetermined claims remain open. The Liquidator has continuously monitored  
19 the development of these claims, and has made early access distributions to state insurance  
20 guaranty associations (IGAs) as well as a distribution to other Class 2 claimants whose insurance  
21 claims are not covered by the IGAs. Further, the Liquidator continues to receive new, previously  
22 unreported Class 2 claims. Now the time has come to set a deadline for claims to be liquidated  
23 and determined, so that this estate may process its final proof of claims, determine the scope of all  
24 Class 2 claims for pro rata distribution, and move toward estate closing. Therefore, the  
25 Liquidator requests the Court to set 1) **June 30, 2019** (Liquidation Date) as the deadline by which  
26 all claimants with reported open Class 2 proofs of claim seeking unliquidated or undetermined  
27 claims and all claimants with previously unreported Class 2 claims to liquidate and make definite

28 <sup>1</sup> Unless otherwise noted, all statutory references are to the Insurance Code.

1 their claims; and 2) **August 30, 2019** (Claims Update Date) as the deadline to file with the  
2 Liquidator claim update forms or previously unreported proofs of claim, in which claimants shall  
3 detail and support their liquidated claims.

#### 4 **FACTUAL BACKGROUND**

5 The Insolvent Companies transacted workers' compensation insurance in California prior to  
6 their insolvencies, and also underwrote various lines of insurance in other states. (Declaration of  
7 John Battle (Battle Decl.), ¶ 5.) In March, 2000, the Insolvent Companies were placed in  
8 statutory conservation after the Commissioner determined that their continued operations would  
9 have been hazardous to the public, and its policyholders and injured worker claimants. On  
10 September 26, 2000, the Court entered a liquidation order appointing the Commissioner as  
11 liquidator of the Insolvent Companies. (*Id.*, ¶ 7 and Exhibit A.) The liquidation order set the  
12 claims bar date for proofs of claim for May 25, 2001. (*Id.*, Exhibit A, p. 9 at ¶ 33.)

13 The Liquidator received over 4,641 unliquidated or undetermined filed or deemed filed  
14 claims by the claims bar date. 42 Class 2 claims remain open. (Battle Decl., ¶ 8.) These open  
15 claims include the claims of the state insurance guarantee associations (IGAs) responsible for the  
16 administration of covered claims made on the Insolvent Companies' policies and claims not  
17 covered by the IGAs (e.g. over-IGA cap claims, and U.S. Longshore and Harbor Worker claims).  
18 (*Id.*, ¶ 9.)

19 The Liquidator periodically receives and reviews late claims, which are previously  
20 unreported Class 2 claims submitted well after the claims bar date set forth in the liquidation  
21 order. This is due to the Insolvent Companies primarily transacting in worker's compensation  
22 insurance, which have "long-tailed policies" with open reporting long after the policy period  
23 expired, and also due to the Insolvent Insurers underwriting other long-tail types of non-workers'  
24 compensation property and casualty insurance. (Battle Decl., ¶ 10.)

25 During the course of liquidation, the Liquidator has collected assets in excess of \$1.5  
26 billion. (Battle Decl., ¶ 11.) While the Liquidator has collected significant assets, the Insolvent  
27 Companies' Class 2 liabilities exceed \$3.45 billion. (*Id.*, ¶ 12 and Exhibit B.) The Liquidator has  
28 disbursed more than \$1.5 billion in early access disbursements and statutory deposits to IGAs,

1 and in disbursements to non-IGA covered policyholder claimants pursuant to court orders.

2 Despite the significant amount of funds disbursed to IGAs, the remaining Class 2 liabilities still  
3 exceed \$1.8 billion. (*Id.*, ¶¶ 13-14 and Exhibit B.)

4 While the Liquidator continues to collect reinsurance, the task of collecting the Insolvent  
5 Companies' known assets is nearing completion, and the estates are positioning for closure.  
6 (Battle Decl., ¶ 15.) After evaluating the status of liquidation and financial state of the Insolvent  
7 Companies' estates, the Liquidator has determined that all open unliquidated or undetermined  
8 claims must be liquidated and all Class 2 claims must be reported so that he may estimate the  
9 scope of liabilities in order to make a final pro rata distribution to claimants. (*Id.*, ¶ 16.)

10 The Liquidator now must set a deadline for liquidation of all Class 2 claims as well as a  
11 deadline by which claimants must document these claims using forms prescribed by the  
12 Liquidator and by which the Liquidator will no longer accept late claims. (Battle Decl., ¶ 17.)  
13 He requests that the Court set June 30, 2019 as the Liquidation Date and August 30, 2019 as the  
14 Claims Update Date. (*Ibid.* and Exhibit C.)

## 15 ARGUMENT

### 16 ONLY LIQUIDATED, DETERMINED, PROVED AND ALLOWED CLAIMS 17 MAY SHARE IN THE DISTRIBUTION OF ESTATE ASSETS

18 California law is settled that claimants are permitted to file "contingent and unliquidated"  
19 claims against an insolvent insurer's estate. (*Garamendi v. Mission* (1993) 15 Cal.App.4th 1277,  
20 1285.) Section 1025 provides that "[c]laims founded upon unliquidated or undetermined  
21 demands must be filed within the time limit ... for the filing of claims...." This rule allows such  
22 claimants to preserve the "long tail" effect of policies and to share in the distribution of assets.  
23 (*Id.*, at p. 1286.)

24 Section 1025 further provides that unliquidated or undetermined claims must be "definitely  
25 determined, proved, and allowed" in order to share in any distribution the estate. The Liquidator  
26 may require claimants to liquidate contingent claims and to submit additional proof for his  
27 determination and approval. (See *Quackenbush v. Mission Ins. Co.* (1998) 62 Cal.App.4th 797  
28 [approving liquidation plan providing procedures for submission of further proof to liquidate

1 previously unliquidated claims].)

2 California law requires the equitable distribution of an insolvent insurer's assets among all  
3 claimants. (*Commercial Nat'l Bank v. Superior Court (Garamendi)* (1993) 14 Cal.App.4th 393,  
4 402 [finding that claimants within same class are entitled to share pro rata in distribution to  
5 class].) The Insolvent Companies have been in liquidation for over 18 years. Nearly all the asset  
6 collection activities have been completed so that the Liquidator can estimate the amount of assets  
7 for purposes of a final distribution. As the Insolvent Companies' estates are approaching closure,  
8 the Liquidator must now determine the scope of the liabilities in order to make a final pro rata  
9 distribution to claimants. The liquidation of all unliquidated or undetermined Class 2 claims is  
10 critical to this task. The setting of deadlines for the liquidation of unliquidated and undetermined  
11 claims, the reporting of previously unreported claims, and the submission of updated proof is  
12 necessary to the orderly and timely completion of liquidation. The Liquidator's selection of the  
13 deadlines for the liquidation of claims is thus an appropriate exercise of discretion.

14 Accordingly, the Court should approve June 30, 2019 as the deadline for the liquidation of  
15 all Class 2 claims and August 30, 2019 as the deadline for the submission of claim update forms  
16 or any new proof of claim establishing their claims were liquidated and definitively determined as  
17 of the Liquidation Date.

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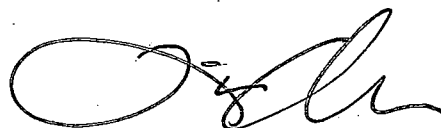
1 **CONCLUSION**

2 For the foregoing reasons, the Liquidator respectfully requests that the Court approve the  
3 requested deadlines for the liquidation of Class 2 claims.  
4

5 Dated: April 2, 2019

Respectfully Submitted,

6 XAVIER BECERRA  
7 Attorney General of California

8 

9 LISA W. CHAO  
10 Supervising Deputy Attorney General  
11 *Attorneys for Applicant Insurance*  
12 *Commissioner of the State of California, in*  
13 *his capacity as Liquidator of Superior*  
14 *National Insurance Company, Superior*  
15 *Pacific Casualty Company, California*  
16 *Compensation Insurance Company,*  
17 *Commercial Compensation Casualty*  
18 *Company and Combined Benefits*  
19 *Insurance Company*

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

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

No.: **BS061974**

**CONSOLIDATED WITH: BS061675**

**BS062171**

**BS062173**

**BS063746**

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 April 2, 2019, I served the attached **LIQUIDATOR'S NOTICE OF MOTION AND MOTION FOR ORDER SETTING DATES FOR LIQUIDATION OF UNLIQUIDATED OR UNDETERMINED CLAIMS; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF** 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, addressed as follows:

**PLEASE SEE ATTACHED 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 April 2, 2019, at Los Angeles, California.

C. Adams

Declarant



Signature

**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.: BS061974**  
**CONSOLIDATED WITH: BS061675**  
**BS062171**  
**BS062173**  
**BS063746**

Alabama Insurance Guaranty Association 2020 Canyon Rd., Suite 200 Birmingham, AL 35216  POC Nos. 2600017, 6017168	Arizona State Compensation Fund PO Box 33069 Phoenix, AZ 85067-3069  POC No. 6017182
Industrial Commission of Arizona Attn: Renee Pastor 800 W. Washington Street Phoenix, AZ 85007  POC Nos. 2600020, 6017188, 6017201, 6017202	Arkansas Property & Casualty Guaranty Fund 1023 W Capitol Ave., Suite 2 Little Rock, AR 72201-3003  POC No. 6017169
California Insurance Guaranty Association PO Box 29066 Glendale, CA 91209-9066  POC Nos. 6017170, 6017181, 6017183, 6017189, 2600022	Colorado Insurance Guaranty Association 1720 S Bellaire St., Suite 408 Denver, CO 80222-4320  POC Nos. 2600009, 6017171, 6017184
Connecticut Insurance Guaranty Association 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600001	Delaware Insurance Guaranty Association 220 Continental Dr., Suite 309 Newark, DE 19713-4365  POC No. 2600023
Florida Insurance Guaranty Association PO Box 14249 Tallahassee, FL 32317-4249  POC No. 2600025	Georgia Insurers Insolvency Pool Attn: Michael Marchman, Executive Director 3700 Crestwood Pkwy., NW, Ste. 400 Duluth, GA 30096  POC Nos. 2600026, 6017173
Illinois Insurance Guaranty Fund 150 S. Wacker, Suite 2970 Chicago, IL 60606  POC No. 6017174	Kansas Insurance Guaranty Association 1720 S. Bellaire St. Ste. 408 Denver, CO 80222-4320  POC Nos. 2600011, 6017175

Louisiana Insurance Guaranty Association 2142 Quail Run Dr. Baton Rouge, LA 70808  POC Nos. 2600032, 6017177	Massachusetts Insurers Insolvency Fund 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600004
Mississippi Insurance Guaranty Association 713 South Pear Orchard Road, Suite 200 Ridgeland, MS 39157-4823  POC No. 2600036	Missouri Property and Casualty Insurance Guaranty Association 2210 Missouri Blvd. Jefferson City, MO 65109  POC No. 2600037, 6017178
Nevada Insurance Guaranty Association 3821 West Charleston Blvd., Suite 100 Las Vegas, NV 89102-1859  POC No. 6017185	New Jersey WC Rating and Inspection Bureau 60 Park Pl., Ste. 12 Newark, NJ 07102-5511  POC No. 6017197
New York State Insurance Dept. Liquidation Bureau 180 Maiden Lane, 14 <sup>th</sup> Floor New York, NY 10038-4925  POC Nos. 2600043, 6017200	Oklahoma P&C Insurance Guaranty Assoc. 2601 NW Expressway, Suite 800E Oklahoma City, OK 73112  POC Nos. 2600046, 6017180
Pennsylvania Worker's Compensation Security Fund 901 North 7th Street Harrisburg, PA 17102  POC No. 2600048	Tennessee Insurance Guaranty Association 3100 West End Avenue, Suite 670 Nashville, TN 37203-5805  POC No. 2600053
Texas P&C Insurance Guaranty Association 9120 Burnet Rd Austin, TX 78758-5204  POC Nos. 2600054, 6017191	Utah Property and Casualty Insurance Guaranty Association PO Box 1608 Sandy, UT 90491-1608  POC No. 2600055
United States Department of Health & Human Services - Region IX Attn: Assistant Regional Counsel 90 Seventh Street, Suite 4-500 San Francisco, CA 94103	

**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.:**                **BS061974**  
**CONSOLIDATED WITH:** **BS061675**  
                          **BS062171**  
                          **BS062173**  
                          **BS063746**

<b>Iain A.W. Nasatir, Esq.</b> Pachulski Stang Ziehl Young & Jones 10100 Santa Monica Blvd., 11th Floor Los Angeles, CA 90067	<b>Robert E. Nagle</b> General Counsel & Vice President Superior Natl. Ins. Group, Inc. 49 Peregrine Circle Oak Park, CA 91377
<b>Peter J. Gurfein, Esq.</b> Landau Gottfried & Berger Llp 1801 Century Park East, Suite 700 Los Angeles, CA 90067	<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
<b>Joseph K. Hegedus, Esq.</b> Lewis, Brisbois, Bisgaard & Smith, Llp 221 N. Figueroa Street, Suite 1200 Los Angeles, CA 90012	<b>Conrad V. Sison</b> Locke Lord Llp 300 S. Grand Avenue, Ste. 800 Los Angeles, CA 90071-3200
<b>Terence Kenney</b> Wild Carey & Fife 120 Montgomery Street, Suite 1000 San Francisco, CA 94104-4313	<b>Deborah L. Stein</b> <b>Christopher A. Sant</b> Simpson Thacher & Bartlett LLP 1999 Avenue of the Stars, 29th Flr. Los Angeles, CA 90067

<b>Henry A. Knebel, Esq.</b> The Law Offices of Henry Knebel 28042 Avenue Stanford, Unit E. Valencia, CA 91355	<b>Christopher Norgaard, Esq.</b> <b>Nina B. Ries, Esq.</b> Newell, Campbell & Roche LLP 633 W. 5th Street, Suite 2600 Los Angeles, CA 90071
<b>Michael S. Lurey, Esq.</b> <b>Kimberly A. Posin, Esq.</b> <b>Lucas R. Bailey</b> Latham & Watkins 355 S. Grand Avenue Los Angeles, CA 90071	<b>Gerald C. Pluard Jr., Esq.</b> Kemper Insurance Companies – Legal One Temper Drive Long Grove, Illinois 60049-0001
<b>Linda M. Lasley, Esq.</b> Lewis Brisbois, Bisgaard & Smith 221 No. Figueroa St., Ste. 1200 Los Angeles, CA 90012	<b>Joel Ross</b> Risk Enterprise Management Ltd. 2540 Route 130, Suite 109 Cranbury, NJ 08512
<b>John McPherson</b> Hinshaw & Culbertson, LLP 633 W. 5th Street, 47th Floor Los Angeles, CA 90071	<b>Raymond J. Lester</b> Vice President & Associate General Counsel Trustmark Insurance Company 400 Field Drive Lake Forest, Illinois 60045
<b>Michael C. Zellers, Esq.</b> <b>Michelle McAloon, Esq.</b> Tucker Ellis & West LLP 515 S. Flower Street, 42nd Floor Los Angeles, CA 90071	<b>Linda Dakin-Grimm, Esq.</b> Milbank Tweed Hadley & McCloy LLP 2029 Century Park East, 33rd Floor Los Angeles, CA 90067 Ldakin-grimm@milbank.com
<b>Wayne Wilson</b> California Ins. Guarantee Association 101 N. Brand Blvd., Suite 600 Glendale, CA 91203	<b>Brian Currey, Esq.</b> <b>Erick Y. Kizirian, Esq.</b> O'Melveny & Meyers LLP 400 So. Hope Street Los Angeles, CA 90071-2899
<b>Gary A. Nye, Esq.</b> <b>Michael B. Adreani, Esq.</b> Roxborough, Pomerance Nye & Adreani 5820 Canoga Ave., #250 Woodland Hills, CA 91367	

# CONFORMED COPY

(Fee Exempt Pursuant  
to Gov. Code 6103)

XAVIER BECERRA  
Attorney General of California  
LISA W. CHAO  
Supervising Deputy Attorney General  
State Bar No. 198536  
300 South Spring Street, Suite 1702  
Los Angeles, CA 90013  
Telephone: (213) 269-6239  
Fax: (213) 897-5775  
E-mail: Lisa.Chao@doj.ca.gov  
*Attorneys for Applicant Insurance Commissioner  
of the State of California, in his capacity as  
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California Compensation Insurance Company,  
Commercial Compensation Casualty Company and  
Combined Benefits Insurance Company*

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Superior Court of California  
County of Los Angeles

**APR 02 2019**

Sherri R. Carter, Executive Officer/Clerk of Court

By: Brigitte De La Rosa, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

SPRING STREET COURTHOUSE

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

Applicant,

v.

**SUPERIOR NATIONAL INSURANCE  
COMPANY,**

Respondent.

Case No.: BS061974

Consolidated with: BS061675  
BS062171  
BS062173  
BS063746

**DECLARATION OF JOHN BATTLE IN  
SUPPORT OF LIQUIDATOR'S  
MOTION FOR ORDER SETTING  
DATES FOR LIQUIDATION OF  
UNLIQUIDATED OR UNDETERMINED  
CLAIMS**

Date: May 2, 2019  
Time: 2:00 p.m.  
Dept: 14  
Judge: The Honorable Kenneth R.  
Freeman

1 I, John Battle, declare:

2 1. I am employed by the Insurance Commissioner of the State of California's  
3 Conservation and Liquidation Office (CLO) as the Chief Claims Officer. I have personal  
4 knowledge of the facts set forth herein and if called upon as a witness, I would testify as set forth  
5 below.

6 2. As the Chief Claims Officer, I supervise the CLO's Claims Department, which  
7 oversees the administration of all claims submitted by policyholders and creditors of the insolvent  
8 insurers being liquidated by the Insurance Commissioner, including Superior National Insurance  
9 Company, Superior Pacific Casualty Company, California Compensation Insurance Company,  
10 Combined Benefits Insurance Company and Commercial Compensation Casualty Company  
11 (collectively, the Insolvent Companies).

12 3. I have more than 50 years in handling workers' compensation policies and claims.  
13 Prior to my employment with the CLO, I was employed since 1997 as the Assistant Vice  
14 President and later as the Vice President for Claims for the Superior National Insurance Group,  
15 Inc. and its subsidiary companies. Since the start of this action, I have been employed by the  
16 Commissioner as the Claims Officer for the Insolvent Companies, in conservation and  
17 liquidation.

18 4. My responsibilities as the Claims Officer include maintenance of policies issued by  
19 Superior National, administration of proofs of claim made against the estates of the Insolvent  
20 Companies, and determination to reject or approve proofs of claims.

21 5. The Insolvent Companies transacted workers' compensation insurance in California  
22 prior to their insolvencies, and also underwrote various lines of insurance in other states.

23 6. In March, 2000, the Insolvent Companies were placed in statutory conservation after  
24 the Commissioner determined that their continued operations would have been hazardous to the  
25 public, and its policyholders and injured worker claimants.

26 7. On September 26, 2000, the Court entered a liquidation order appointing the  
27 Commissioner as liquidator of the Insolvent Companies. The Liquidation Order set the claims  
28

1 bar date for proofs of claim for May 25, 2001. A true and correct copy of the Liquidation Order  
2 is attached hereto as Exhibit A.

3 8. The Liquidator received over 4,641 unliquidated or undetermined filed or deemed  
4 filed claims by the claims bar date. 42 Class 2 claims remain open.

5 9. The open claims include the claims of the state insurance guarantee associations  
6 (IGAs) responsible for the administration of covered claims made on the Insolvent Companies'  
7 policies and claims not covered by the IGAs (e.g. over-IGA cap claims, and U.S. Longshore and  
8 Harbor Worker claims).

9 10. The Liquidator periodically receives and reviews late claims, which are previously  
10 unreported Class 2 claims submitted well after the claims bar date set forth in the liquidation  
11 order. This is due to the Insolvent Companies primarily transacting in worker's compensation  
12 insurance, which have "long-tailed policies" with open reporting long after the policy period  
13 expired, and also due to the Insolvent Insurers underwriting other long-tail types of non-workers'  
14 compensation property and casualty insurance.

15 11. During the course of liquidation, the Liquidator has collected assets in excess of \$1.5  
16 billion.

17 12. However, the Insolvent Companies' Class 2 liabilities exceed \$3.45 billion as shown  
18 on the Insolvent Companies' Statement of Assets and Liabilities as of December 31, 2018,  
19 attached hereto as Exhibit B.

20 13. The Statement of Assets and Liabilities as shows that the Liquidator has disbursed  
21 more than \$1.5 billion in early access disbursements and statutory deposits to IGAs, and in  
22 disbursements to non-IGA covered policyholder claimants pursuant to court orders.

23 14. Despite the significant amount of funds disbursed to IGAs and other Class 2  
24 claimants, the remaining Class 2 liabilities still exceed \$1.8 billion.


25 15. While the Liquidator continues to collect reinsurance, the task of collecting the  
26 Insolvent Companies' known assets is nearing completion, and the estates are positioning for  
27 closure.



16. After evaluating the status of liquidation and financial state of the Insolvent Companies, the Liquidator has determined that all open unliquidated or undetermined claims must be liquidated and all Class 2 claims must be reported so that he may estimate the scope of liabilities in order to make a final pro rata distribution to claimants.

17. To accomplish this task, the Liquidator has set June 30, 2019 as the deadline for liquidation of all open unliquidated or undetermined Class 2 claims and for claimants with previously unreported Class 2 claims to submit proofs of claim, and August 30, 2019 as the deadline by which claimants with open claims must document these claims using forms prescribed by the Liquidator and by which the Liquidator will no longer accept late claims. True and correct copies of the claim update forms that the Liquidator intends to send to Class 2 creditors and IGAs for with open claims for each Insolvent Company are attached hereto as Exhibit C.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on March, 28, 2019, at San Francisco, California.

  
John Battle

LA2000CV0370  
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EXHIBIT "A"

1 BILL LOCKYER  
Attorney General  
2 RICHARD S. BAKKE  
Supervising Deputy Attorney General  
3 MARK P. RICHELSON, SBN 58121  
ELISA B. WOLFE, SBN 120357  
4 Deputy Attorneys General  
300 South Spring Street, Room 5212  
5 Los Angeles, California 90013  
Telephone: (213) 897-2482; (213) 897-0633  
6 Fax: (213) 897-5775  
Attorneys for Applicant Insurance Commissioner of the State of California  
7

ORIGINAL FILED

SEP 26 2000

LOS ANGELES  
SUPERIOR COURT

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES  
10

11 INSURANCE COMMISSIONER OF THE STATE  
OF CALIFORNIA,

12 Applicant,

13 v.

14 SUPERIOR NATIONAL INSURANCE COMPANY,

15 Respondent;  
16

17 AND CONSOLIDATED PROCEEDINGS.  
18  
19  
20  
21  
22

Case No.: BS 061974

Consolidated with: BS 061975  
BS 062171  
BS 062173  
BS 063746

ORDER APPOINTING  
LIQUIDATOR FOR SUPERIOR  
NATIONAL INSURANCE  
COMPANY, SUPERIOR  
PACIFIC CASUALTY  
COMPANY, COMBINED  
BENEFITS INSURANCE  
COMPANY, CALIFORNIA  
COMPENSATION INSURANCE  
COMPANY, and COMMERCIAL  
COMPENSATION CASUALTY  
COMPANY AND RELATED  
RESTRAINING ORDERS

23  
24  
25 The Verified Application of the Insurance Commissioner, Applicant herein, for  
26 Order Appointing Liquidators and Restraining Orders came on regularly for hearing on  
27 September 25, 2000 in the above entitled court, the Honorable Frances Rothschild presiding.  
28 The Applicant was represented by his counsel. Bill Lockyer, Attorney General by Mark P.

1.

ORDER APPOINTING LIQUIDATORS AND RESTRAINING ORDERS

1 Richelson and Elisa B. Wolfe, Deputy Attorneys General. Lumbermens Mutual Casualty  
2 Company (hereinafter referred to as "Kemper") was represented by Sidley and Austin by Thomas  
3 Patterson, Esq. Superior National Insurance Group and Business Insurance Group, Inc. were  
4 represented by Pachulski, Stang, Ziehl, Young & Jones, P.C. by Iain A. W. Nasatir, Esq. The  
5 California Insurance Guarantee Association was represented by Lord Bissel and Brook by C.  
6 Guerry Collins. The other appearances were noted on the record.

7 The Court after reviewing the Verified Applications for Orders Appointing  
8 Liquidator, the papers and pleadings filed in opposition and reply and good cause appearing finds  
9 that:

10 1. Superior National Insurance Company, Superior Pacific Casualty Company,  
11 Combined Benefits Insurance Company, California Compensation Insurance Company, and  
12 Commercial Compensation Casualty Company is each insolvent;

13 2. It would be futile for the Insurance Commissioner to proceed as conservator  
14 with the conduct of the business of these five insurance companies; and,

15 3. It is appropriate for the Insurance Commissioner to liquidate and wind up the  
16 business of these five insurance companies in a manner consistent with this Order, the Court's  
17 Final Order Approving and Adopting Rehabilitation Plan, and the Order Approving and  
18 Adopting Settlement Agreement.

19  
20 **WHEREFORE IT IS ORDERED THAT:**

21  
22 **ADMINISTRATION AND OPERATION**

23 1. Applicant's status as Conservator is terminated, and he is appointed Liquidator of the  
24 five Respondents named above, as set forth in section 1016 of the Insurance Code, and directed  
25 as Liquidator to liquidate and wind up the business of Respondents and to act in all ways and  
26 exercise all powers necessary for the purpose of carrying out such order.

27 2. Applicant, as Liquidator of Respondents, is vested in and to all of the records,  
28 property (real and personal, whether owned, leased, rented or utilized by Respondents under any

1 contract or assignment) and assets (including rights under any license or other arrangement for  
2 the use of computer software and/or business information systems) of Respondents then in the  
3 possession of Applicant as Conservator, as well as any records, property and assets of  
4 Respondents discovered or obtained hereafter wheresoever such assets may be situated.

5 3. Applicant, as Liquidator of Respondents, is authorized to honor as expenses of  
6 administration all expenses heretofore incurred by the Conservator and presently unpaid.

7 4. Funds and accounts in the name of Respondents, or Applicant as Conservator, in  
8 various banks or any other institutions wheresoever situated shall be vested in Applicant as  
9 Liquidator and subject to withdrawal at his direction only, and this Order does not convert funds  
10 held in a fiduciary capacity to general assets of the Liquidator.

11 5. The Applicant as Liquidator is authorized to appoint and employ estate managers,  
12 special deputies, clerks and assistants and to give each of them such power and authority as he  
13 deems necessary and authorizing Applicant to compensate them from the assets of Respondents,  
14 or from such other non-conservatorship funds as are lawfully available, which as to him shall be  
15 determined to be appropriate.

16 6. The Applicant, as Liquidator, is authorized to invest Respondents' assets as he deems  
17 to be in the best interests of this liquidation estate, and to pay for his costs in bringing and  
18 maintaining this and other actions necessary to carry out his functions as Liquidator of  
19 Respondents from the assets of Respondents, and if there are insufficient assets, is authorized to  
20 pay for his costs out of the Insurance Fund, pursuant to Insurance Code § 1035.

21 7. The Liquidator is authorized to divert, take possession of and secure all mail of  
22 Respondents in order to screen such mail, and to effect a change in the rights to use any and all  
23 post office boxes and other mail collection facilities used by Respondents.

24 8. The Applicant is authorized to pay for his costs in bringing and maintaining this  
25 action, and such other actions as are necessary to carry out his functions as Liquidator, out of the  
26 funds and assets of Respondents.

27 9. The Liquidator is authorized pursuant to Insurance Code section 1037(g), to invest and  
28 reinvest all assets in a manner he deems to be in the best interest of the creditors of the estate.

1 including investing and reinvesting assets through an investment pool consisting exclusively of  
2 assets from conserved estates. To the extent that the Liquidator invests and reinvents through  
3 such an investment pool, such investments and reinvestments may exceed \$100,000.

4 10. The Liquidator is hereby authorized to assume or reject, or to modify, any executory  
5 contracts, including without limitation, any lease, rental or utilization contract or agreement  
6 (including any schedule to any such contract or agreement), and any license or other arrangement  
7 for the use of computer software or business information systems, to which Respondents, or any  
8 of them, is a party or as to which Respondent(s) agrees to accept an assignment of such contract  
9 pursuant to the terms of the Settlement Agreement (which is being heard concurrently herewith);  
10 provided, however, that in connection with the BancBoston/Citizens' Master Lease Finance  
11 Agreements, as amended and assigned, and the agreements with Risk Enterprise Management  
12 Limited ("REM") filed with REM's objections to the Settlement Agreement, no such action shall  
13 be taken without the approval of this Court, upon notice to BancBoston/ Citizens and REM,  
14 respectively. Any such assumption or rejection or modification of any executory contract shall  
15 be effected by the Liquidator not later than within 120 days after the entry of this Order, unless  
16 such date is extended by application to and further order of the Court. All executory contracts  
17 that are not expressly assumed by the Liquidator shall be deemed rejected. Any party to a  
18 contract that is rejected by the Liquidator pursuant to this Order, shall be permitted to file a proof  
19 of claim against the liquidation estate, which claim shall be treated in accordance with Insurance  
20 Code section 1010, et seq.

21 11. Pursuant to Insurance Code section 1037(d), the Liquidation may dispose of any  
22 excess property of Respondents by any commercially reasonable method, including, but not  
23 limited to, sales at public auctions; sales in bulk to the high bidder (provided at least three (3)  
24 bids are obtained from independent dealers in the kind of property sold).

1 **CREDITORS, POLICYHOLDERS ETC.**

2 12. The rights and liabilities of claimants, creditors, and all other persons interested in  
3 the assets of Respondents, including the State of California, be fixed as of the date of entry of  
4 this order.

5 13. All insurance policies issued by the Respondents prior to April 6, 2000 or issued  
6 thereafter but issued without a Kemper "cut-through reinsurance" endorsement, shall be  
7 terminated and canceled effective no later than thirty (30) days after the entry of this Order. The  
8 Liquidator shall promptly notify all policyholders of such policy termination and cancellation by  
9 First Class Mail at the last known address of the policyholders. In addition, the Liquidator is  
10 authorized to and may, in his sole discretion, terminate and cancel any policies issued by  
11 Respondents that are not covered by the preceding sentence or that were issued by a fronting  
12 insurer and reinsured, in whole or in part, to Respondents.

13 14. This order is not intended to modify the Stipulation and Order entered by this Court  
14 on August 17, 2000 between the Conservator and Centre Insurance Company, and that  
15 Stipulation and Order continues in full force and effect.

16  
17 **INJUNCTIONS AND OTHER ORDERS**

18 15. All prior injunctions and other orders of this Court, except to the extent expressly  
19 modified herein, are reaffirmed and remain in full force and effect. All powers and authority  
20 granted to the Liquidator under this Order are in addition to and not in limitation of the powers of  
21 the Liquidator under the California Insurance Code and any other statutory or applicable case  
22 law.

23 16. Each Respondent, its officers, directors, agents and employees and all other persons  
24 are enjoined from transacting the business of Respondents and from disposing of any of its  
25 California assets or property or any other assets or property of Respondents wheresoever  
26 situated.

27 17. All persons are enjoined from interfering with the possession, title and rights of  
28 Applicant, as Liquidator, in and to the property and assets of Respondents vested in the

1 Liquidator by this Order, and from interfering with the conduct of the liquidation and the  
2 winding up of the business of Respondents.

3 18. All persons are enjoined from waste of assets of Respondents.

4 19. All persons are enjoined from instituting or prosecuting or maintaining any action or  
5 proceeding at law or suit in equity, including but not limited to matters in arbitration, against  
6 Respondents or Applicant as Liquidator of Respondents, and from attaching or executing upon,  
7 or taking, any legal action against the real and personal property held by Respondents without the  
8 consent of this Court obtained after reasonable notice to said Liquidator.

9 20. All persons are enjoined from obtaining or attempting to obtain preferences,  
10 judgments, attachments or other license, or from making any levy against Respondents or its  
11 property and assets without the consent of this Court obtained after reasonable notice to said  
12 Liquidator.

13 21. All former or present officers, directors, agents and employees of Respondents, and  
14 all other persons are ordered to deliver all books, records, real and personal property, equipment  
15 and other assets of Respondents wheresoever situated to Liquidator.

16 22. The Respondents and its respective officers, directors, agents, servants, employees,  
17 successors, assigns, affiliates, and other persons or entities under their control and all persons or  
18 entities in active concert or participation with them, and each of them, are ordered to turn over to  
19 the Liquidator records, documentation, charts and/or descriptive material of all funds, assets, real  
20 and personal property owned beneficially, leased, rented or utilized or otherwise, and all other  
21 assets of Respondents wherever situated, and all books and records of accounts, title documents,  
22 leases rental and utilization agreements, and other documents in their possession or under their  
23 control, which relate to assets or property of Respondents.

#### 24 25 LITIGATION AND LEGAL PROCESS

26 23. The Applicant as Liquidator is authorized to initiate such equitable or legal actions or  
27 proceedings in this or other states as may appear to him necessary to carry out his functions as  
28 Liquidator.



1           24. Except with leave of court issued after a hearing in which the Liquidator has  
2 received reasonable notice all persons are enjoined from executing or issuing or causing the  
3 execution or issuance of any court attachment, subpoena, replevin, execution or other process for  
4 the purpose of impounding or taking possession of or interfering with or creating or enforcing a  
5 lien upon any real or personal property owned or in the possession of Respondents or its  
6 affiliates, or the Liquidator appointed herein, wheresoever situated.

7           25. Except by leave of court, obtained after reasonable notice to the Liquidator all  
8 persons are enjoined from accelerating the due date of any obligation or claimed obligation;  
9 retaking or attempting to retake possession of any real or personal property; withholding or  
10 diverting any rent or other obligation; doing any act or other thing whatsoever to interfere with  
11 the possession or use of, or management by the Liquidator herein and of the property and assets,  
12 owned or controlled by Respondents or in the possession of Respondents or in any way to  
13 interfere with said Liquidator or to interfere in any manner during the pendency of this  
14 proceeding with the exclusive jurisdiction of this Court over Respondents.

15           26. Any and all provisions of any agreement entered into by and between any third party  
16 and Respondents including, by way of illustration, but not limited to, the following types of  
17 agreements (as well as any amendments, assignments, or modifications thereto): financial  
18 guarantee bonds, promissory notes, loan agreements, security agreements, deeds of trust,  
19 mortgages, indemnification agreements, subrogation agreements, subordination agreements,  
20 pledge agreements, assignments of rents or other collateral, financial statements, letters of credit,  
21 leases, rental or utilization agreements insurance policies, guaranties, escrow agreements,  
22 management agreements, real estate brokerage and rental agreements, servicing agreements,  
23 attornment agreements, consulting agreements, easement agreements, license agreements,  
24 franchise agreements, or employment contracts that provide in any manner that selection,  
25 appointment or retention of a Liquidator, or trustee by any court, or entry of an order such as  
26 hereby made, shall be deemed to be, otherwise operate as a breach, violation, event of default,  
27 termination, event of dissolution, event of acceleration, insolvency, bankruptcy, or liquidation,  
28 shall be stayed, and the assertion of any and all rights, remedies relating thereto shall also be

1 stayed, except as otherwise ordered by the Court, and the Court shall retain jurisdiction over any  
2 cause of action that has arisen or may otherwise arise under any such provision.

3  
4 **EFFECT ON OTHER ORDERS**

5 27. This order is not intended to modify the Stipulation and Order entered by this Court  
6 on August 17, 2000 between the Conservator and Centre Insurance Company, and that  
7 Stipulation and Order continues in full force and effect.

8 28. This order is not intended to affect or, and shall not affect the rights and obligations  
9 of the Kemper Insurance Companies under the Rehabilitation Plan, except to the extent provided  
10 for in the Rehabilitation Plan. This order of liquidation also is not intended to affect, and shall  
11 not affect, the rights and obligations under the Interim Cut-Through Reinsurance Agreement with  
12 the Kemper Insurance Companies, as amended, modified, and extended, all as approved by this  
13 Court, except to the extent provided in the Reinsurance Agreement. (P)

14 29. Notwithstanding the foregoing, the Liquidator did not and does not intend this  
15 Liquidation Order to: (A) result in any conflict with the performance of its Settlement Agreement  
16 with Kemper and Superior National Insurance Group, Inc., and its affiliates; (B) result in a  
17 violation of any provision of said Settlement Agreement; (C) result in the material impairment of  
18 the ownership or value of the net operating losses ("NOLs") incurred in conjunction with the  
19 operation of the Superior National Insurance companies; (D) address any obligation of Superior  
20 National Insurance Group, Inc., and/or its affiliates, (if any such obligation does exist) to any  
21 surety. The Liquidator has not taken any action that he knew or knows would materially impair  
22 the ownership or value of the NOLs, or would result in an conflict with or violation of any  
23 provision of the Settlement Agreement, and will take no such action without the prior approval  
24 of a court of competent jurisdiction. If it were subsequently discovered that there is any  
25 provision in the Rehabilitation Plan that is intended to or does result in (a), (b), (c), or (d) above,  
26 then the Liquidator shall take all reasonable steps to correct and cure the same provided that he  
27 shall not be required to perform any act which adversely affects the rights of Kemper as  
28 contained in the Rehabilitation Plan. (P)

1           30.   The provisions of Applicant's Settlement Agreement with Kemper and Superior  
2 National Insurance Group, Inc., et al., shall survive the entry of an order of liquidation and shall  
3 be fully enforceable notwithstanding any subsequent order, including the order of liquidation.  
4 Further, with respect to the Settlement Agreement, extant obligations of respondent Companies  
5 (such as indemnities) that exist as of the date of entry of a liquidation order shall survive  
6 liquidation and shall be treated as an expense of administration accorded "class one" priority  
7 under Insurance Code Section 1033(a).

8           31.   This Order is not intended to affect, and shall not affect, the rights of the parties  
9 under that certain Stipulation and Order relating to Liquidation of Conserved Insurers,  
10 Rehabilitation Transactions, Settlement Agreement, and Cancellation of Centre Insurance  
11 Company and ZC Insurance Company Policies.

12           32.   This Order is not intended to affect, and shall not affect, the rights and obligations  
13 of Risk Enterprise Management Limited under the March 1998 Agreement for Services between  
14 REM and Superior National Insurance Company, as amended, and/or the December 1998  
15 Agreement for Services between REM and Superior National Insurance Company, as amended.

16  
17                                   **OTHER PROVISIONS**

18           33. Any and all claims against Respondents (except those policyholder claims already  
19 pending against Respondents, which are deemed filed), including those which in any way affect  
20 or seek to affect any of the assets of Respondents, wherever or however such assets may be  
21 owned or held, must be filed no later than May 25, 2001 (the "Claims Bar Date"), together with  
22 proper proof thereof, in accordance with the provisions of California Insurance Code sections  
23 1010 et seq. including but not limited to Section 1023. Any claims not filed by the Claims Bar  
24 Date shall be conclusively deemed forever waived.

25           34. Nothing in this Order or in the Orders Approving and Adopting Rehabilitation Plan  
26 and Approving and Adopting Settlement Agreement is intended to affect, modify or otherwise  
27 alter the jurisdiction of this court.  
28

HEADINGS

35. Headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any part or section of this order.

Dated: \_\_\_\_\_

SEP 26 2000

FRANCES ROTHSCHILD

THE HONORABLE FRANCES ROTHSCHILD  
JUDGE OF THE SUPERIOR COURT

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EXHIBIT "B"

**CONSOLIDATED: Superior National Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of December 31, 2018

	301	302	304	305	306	
	Cal Comp	Combined Benefits	Superior Natl	Superior Pacific	Commercial Comp	TOTAL
<b>ASSETS</b>						
Participation in pooled investments, at market	15,583,500	7,034,400	18,151,700	11,345,400	11,122,000	63,237,000
Non-pooled short-term investments						
Restricted	118,700	234,100	-	-	-	352,800
Accrued investment income	43,900	20,100	50,800	31,700	31,200	177,700
Funds held by guaranty associations	-	-	11,485,500	-	12,000	11,497,500
Recoverable from reinsurers	1,034,600	1,100	7,589,000	8,592,500	6,800	17,224,000
<b>Total Available Assets</b>	<b>16,780,700</b>	<b>7,289,700</b>	<b>37,277,000</b>	<b>19,969,600</b>	<b>11,172,000</b>	<b>92,489,000</b>
<b>LIABILITIES</b>						
Secured claims	231,200	600	77,500	400	682,600	992,300
associations, before distributions	2,002,168,600	33,868,700	832,612,500	216,891,600	140,661,000	3,226,202,400
Early access and other Class 2 distributions	(922,388,300)	(28,078,300)	(423,517,700)	(56,969,700)	(100,161,600)	(1,531,115,600)
All other claims	119,228,500	6,228,400	28,722,700	62,365,700	13,918,500	230,463,800
<b>Total Estimated Liabilities</b>	<b>1,199,240,000</b>	<b>12,019,400</b>	<b>437,895,000</b>	<b>222,288,000</b>	<b>55,100,500</b>	<b>1,926,542,900</b>
<b>NET ASSETS (DEFICIENCY)</b>	<b>(1,182,459,300)</b>	<b>(4,729,700)</b>	<b>(400,618,000)</b>	<b>(202,318,400)</b>	<b>(43,928,500)</b>	<b>(1,834,053,900)</b>
<b>ADMIN EXPENSES 2018 ytd</b>						
Legal expenses	-	-	1,600	-	-	1,600
Consultants and temps	11,100	9,600	42,000	16,800	9,600	89,100
Office expenses	169,900	300	4,000	2,200	500	176,900
Allocated overhead expenses	453,400	66,100	232,100	154,000	64,500	970,100
	<b>634,400</b>	<b>76,000</b>	<b>279,700</b>	<b>173,000</b>	<b>74,600</b>	<b>1,237,700</b>

Conservation Date	3/6/2000	3/6/2000	3/6/2000	3/6/2000	6/9/2000
Target Close Date	2021	2021	2021	2021	2021
Assets as % of Liabilities	1%	61%	9%	9%	20%

**CONSOLIDATED: Superior National Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of December 31, 2018

	301	302	304	305	306	
	Cal Comp	Combined Benefits	Superior Natl	Superior Pacific	Commercial Comp	TOTAL
<b>ASSETS detail</b>						
Cash and Investments						
12001 Participation in Pooled Investment	15,583,451	7,034,358	18,151,655	11,345,401	11,121,961	63,236,826
12003 Short Term Inv. Restricted	118,679	234,145	-	-	-	352,823
Cash and Investments	15,702,129	7,268,502	18,151,655	11,345,401	11,121,961	63,589,649
13015 Accrued Int & Div Receivable	43,865	20,091	50,821	31,749	31,156	177,682
16003 Funds Held by IGAs	-	-	11,485,499	-	12,031	11,497,530
Reinsurance Receivable			11,485,499	-	12,031	
13001 Rein Recoverable-Paid	1,015,849	-	59,681	215,960	(0)	1,291,491
13002 Rein Recover-Unpaid Losses	932	1,080	(20,880)	(289,202)	6,796	(301,274)
1.CEDRES Rein Recover-Unpaid Losses, Case Reserves	756,305	0	4,393,769	5,265,736	(0)	10,415,810
CEDBULK Rein Recover-Unpaid Losses, Ceded IBNR	400,000	-	3,200,000	3,400,000	-	7,000,000
3003.RES Allow on Rein Recov, Case Reserves	(172,141)	-	-	-	-	(172,141)
13003 Allow For Uncoll Rein Receivable	(966,388)	-	(43,578)	-	-	(1,009,966)
Reinsurance Receivable	1,034,557	1,080	7,588,993	8,592,494	6,795	17,223,920
<b>Total Available Assets</b>	<b>16,780,551</b>	<b>7,289,674</b>	<b>37,276,968</b>	<b>19,969,645</b>	<b>11,171,944</b>	<b>92,488,781</b>
<b>LIABILITIES detail</b>						
Secured Claims						
22001 Unclaimed Funds Payable	175,261	35	15,732	-	42,632	233,660
22091 Unclaimed Funds Payable-GOLD	55,535	568	61,733	386	176,296	294,518
Secured Claims	230,796	603	77,465	386	218,928	528,178
Class 1: Payables and Accrued Expenses						
23001 Undistributed Exp Liability	445	-	-	-	463,715	464,160
25001 Due To/From Intercompany Acct	1	1	(1)	0	(2)	0
Class 1 Liabilities	446	1	(1)	0	463,713	464,160
Class 2: Losses, Reserves and non-IGA Claims						
28001 Loss & ALAE Reserve	529,552,493	7,610,888	192,924,965	62,691,996	27,753,364	820,533,707
28006 Liability Due to GAs	1,470,940,437	26,253,930	639,234,133	154,188,441	112,137,231	2,402,754,171
29091 Other Class 2 Payable-GOLD	1,675,695	3,857	453,443	11,172	770,410	2,914,577
Class 2 Liabilities before Distributions	2,002,168,625	33,868,675	832,612,541	216,891,609	140,661,005	3,226,202,454
Early Access and Other Class 2 Distributions						
28007 Advances to Guaranty Associations	(715,420,130)	(21,479,512)	(261,704,035)	(30,594,330)	(54,502,108)	(1,083,700,115)
28097 Advances to Guaranty Associations-GOLD	(206,247,606)	(6,572,602)	(161,627,791)	(26,373,621)	(45,096,978)	(445,918,598)
41095 Class 2 Distributions-GOLD	(720,545)	(26,200)	(185,910)	(1,788)	(562,519)	(1,496,962)

**CONSOLIDATED: Superior National Ins Cos**  
**STATEMENT OF ASSETS AND LIABILITIES**  
As of December 31, 2018

	301	302	304	305	306	
	Cal Comp	Combined Benefits	Superior Natl	Superior Pacific	Commercial Comp	TOTAL
Early access and other Class 2 distributions	(922,388,281)	(28,078,314)	(423,517,736)	(56,969,739)	(100,161,605)	(1,531,115,675)
Class 7: All Other Claims						
30002 Payable to Affiliates	99,557,226	2,839,468	26,353	60,453,640	10,614,101	173,490,788
30005 Reinsurance Payable	19,284,786	2,129,979	15,141,031	(65,155)	854,126	37,344,767
30098 Other Class 7 Liabilities-GOLD	77,069	1,258,994	13,554,362	1,977,201	2,450,319	19,317,945
31001 Funds Held for Others	309,459	-	1,002	-	-	310,462
Class 7 Liabilities	119,228,541	6,228,440	28,722,749	62,365,686	13,918,546	230,463,962
Total Estimated Liabilities	1,199,240,126	12,019,406	437,895,018	222,287,942	55,100,588	1,926,543,080
NET ASSETS (DEFICIENCY)	(1,182,459,575)	(4,729,733)	(400,618,050)	(202,318,297)	(43,928,645)	(1,834,054,299)
Distributions this period						
28007 Advances to Guaranty Associations	-	-	-	-	47,982	47,982
YTD Distributions	-	-	-	-	47,982	47,982
Distributions liquidation to date						
28007 Advances to Guaranty Associations	715,420,130	21,479,512	261,704,035	30,594,330	54,502,108	1,083,700,115
28097 Advances to Guaranty Associations-GOLD	206,247,606	6,572,602	161,627,791	26,373,621	45,096,978	445,918,598
41095 Class 2 Distributions-GOLD	720,545	26,200	185,910	1,788	562,519	1,496,962
LTD Distributions	922,388,281	28,078,314	423,517,736	56,969,739	100,161,605	1,531,115,675



EXHIBIT “C”

### Our Mission

The CLO, on behalf of the Insurance Commissioner, rehabilitates and/or liquidates, under Court supervision, troubled insurance enterprises domiciled in the State of California. In addition the CLO provides Special Examination Services, with Commissioner and Board oversight. As a fiduciary for the benefit of all claimants, the CLO handles the property of troubled or failed enterprises in a prudent, cost-effective, fair, timely, and expeditious manner.



P.O. Box 26894  
San Francisco, CA  
94126-6894  
Tel: 415-676-5000  
Fax: 415-676-5002

---

## Conservation & Liquidation Office

---

### RE: Guaranty Association Claims Deadline for Final Claim Submission in Superior National Estates

April --, 2019

Director

IGA

Address

City, State, ZIP

Re: Superior National Insurance Company, California Compensation Insurance Company, Superior Pacific Casualty Company, Commercial Compensation Casualty Company, Combined Benefits Insurance Company  
Proof of Claim:

Dear Director's Name:

On April --, 2019 San Francisco Superior Court submitted a motion requiring that all claims against each of the five Superior National Insurance Companies be liquidated as of June 30, 2019. Assuming approval, all claims by Guaranty Associations must be finalized by that date, and reported to the Liquidator in the prescribed format on or before August 30, 2019. A copy of the order will be posted on the liquidator's website, [www.caclo.org](http://www.caclo.org), or you may request a copy from the undersigned.

Enclosed please find an update form to be completed and returned no later than August 30, 2019. Along with the completed form we ask that you provide the following information:

- A copy of your 2<sup>nd</sup> quarter 2019 FIQ
- A final claims run (bordereaux but not individual claim transactions) reconciled to your FIQ.
- An expense run reconciled to your FIQ.
- Your list of UEP payments
- A list of all statutory deposit releases, early access distribution amount or other credits applied to your claim

Should you have any questions please contact: John Battle at (415) 676-2102 or [battlej@caclo.org](mailto:battlej@caclo.org)

Please mail the completed form and supporting documents to:

John Battle, Chief Claims Officer  
Superior National Insurance Companies  
Conservation & Liquidation Office  
P.O. Box 26894  
San Francisco, CA 94126-0894  
Telephone 415-676-2102

Our Mission

The CLO, on behalf of the Insurance Commissioner, rehabilitates and/or liquidates, under Court supervision, troubled insurance enterprises domiciled in the State of California. In addition the CLO provides Special Examination Services, with Commissioner and Board oversight. As a fiduciary for the benefit of all claimants, the CLO handles the property of troubled or failed enterprises in a prudent, cost-effective, fair, timely, and expeditious manner.



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94126  
Tel: 415-676-5000  
Fax: 415-676-5002

Conservation & Liquidation Office

**California Compensation Insurance Company  
GUARANTY ASSOCIATION UPDATE FORM**

**Claims Update Deadline: August 30, 2019**

TO EACH GUARANTY ASSOCIATION WHICH HAS FILED A PROOF OF CLAIM AGAINST Superior National Insurance Company:

THE COURT HAS ORDERED THAT EACH GUARANTY ASSOCIATION WHICH FILED A PROOF OF CLAIM WITH California Compensation Insurance Company MUST FILE A FINAL CLAIMS UPDATE BY **August 30, 2019**. *Please further note that the Court has ordered that all contingent, undetermined or unliquidated claims within the meaning of California Insurance Code Section 1025 must be made definite, liquidation and certain by June 30, 2019.*

Please set forth the amount of each here:

Paid losses:	
Paid expenses:	
Reserves for loss and expense in connection with outstanding known claims:	
Administrative expense:	
Early access payments:	
Statutory deposits collected:	
Grand Total:	

Along with your update, please submit each of the following: a claim run listing of the insured name, policy number, claim number, amount paid in loss and expense, and claimant name for each paid loss which you have paid; the insured name, policy number, claim number, liquidator number, outstanding reserve, nature of the loss and claimant name for each open case which you maintain.

UNLESS NOTED HEREIN, I ALONE AM ENTITLED TO FILE THIS CLAIM; NO OTHERS HAVE AN INTEREST THEREIN; THE CLAIM IS UNSECURED; AND THE SUM CLAIMED IS JUSTLY OWING AND THERE IS NO OFFSET. I ACKNOWLEDGE THAT ANY PAYMENT ON THIS CLAIM WILL BE MADE PAYABLE TO THE PERSON OR ENTITY TO WHOM THIS PROOF OF CLAIM IS ADDRESSED. I CERTIFY THAT ALL SUPPORTING DATA AND DOCUMENTS SUBMITTED HERewith ARE TRUE AND CORRECT.

I DECLARE, UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE INFORMATION IS TRUE AND CORRECT, EXECUTED THIS

\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_  
(DAY) (MONTH) (YEAR) (CITY) (STATE)

\_\_\_\_\_  
GUARANTY ASSOCIATION

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

Please contact John Battle at (415)676-2102 or battlej@cacio.org should you have any questions.

Mail the completed form and supporting documents to:

John Battle

California Compensation Insurance Co. c/o Conservation & Liquidation Office

P.O. Box 26894 San Francisco, CA 94126-0894

**Our Mission**  
The CLO, on behalf of the Insurance Commissioner, rehabilitates and/or liquidates, under Court supervision, troubled insurance enterprises domiciled in the State of California. In addition the CLO provides Special Examination Services, with Commissioner and Board oversight. As a fiduciary for the benefit of all claimants, the CLO handles the property of troubled or failed enterprises in a prudent, cost-effective, fair, timely, and expeditious manner.



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94126  
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Fax: 415-676-5002

**Conservation & Liquidation Office**

**Combined Benefits Insurance Company  
GUARANTY ASSOCIATION UPDATE FORM**

**Claims Update Deadline: August 30, 2019**

TO EACH GUARANTY ASSOCIATION WHICH HAS FILED A PROOF OF CLAIM AGAINST Combined Benefits Insurance Company:

THE COURT HAS ORDERED THAT EACH GUARANTY ASSOCIATION WHICH FILED A PROOF OF CLAIM WITH Combined Benefits Insurance Company MUST FILE A FINAL CLAIMS UPDATE BY **August 30, 2019**. *Please further note that the Court has ordered that all contingent, undetermined or unliquidated claims within the meaning of California Insurance Code Section 1025 must be made definite, liquidation and certain by June 30, 2019.*

Please set forth the amount of each here:

Paid losses:	
Paid expenses:	
Reserves for loss and expense in connection with outstanding known claims:	
Administrative expense:	
Early access payments:	
Statutory deposits collected:	
Grand Total:	

Along with your update, please submit each of the following: a claim run listing of the insured name, policy number, claim number, amount paid in loss and expense, and claimant name for each paid loss which you have paid; the insured name, policy number, claim number, liquidator number, outstanding reserve, nature of the loss and claimant name for each open case which you maintain.

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\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_  
(DAY) (MONTH) (YEAR) (CITY) (STATE)

\_\_\_\_\_  
GUARANTY ASSOCIATION

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

**Please contact John Battle at (415)676-2102 or [battlej@caclo.org](mailto:battlej@caclo.org) should you have any questions.**

**Mail the completed form and supporting documents to:**

**John Battle**

**Combined Benefits Insurance Co. c/o Conservation & Liquidation Office  
P.O. Box 26894 San Francisco, CA 94126-0894**

**Our Mission**

The CLO, on behalf of the Insurance Commissioner, rehabilitates and/or liquidates, under Court supervision, troubled insurance enterprises domiciled in the State of California. In addition the CLO provides Special Examination Services, with Commissioner and Board oversight. As a fiduciary for the benefit of all claimants, the CLO handles the property of troubled or failed enterprises in a prudent, cost-effective, fair, timely, and expeditious manner.



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94126  
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Fax: 415-676-5002

**Conservation & Liquidation Office**

**Commercial Compensation Casualty Company  
GUARANTY ASSOCIATION UPDATE FORM**

**Claims Update Deadline: August 30, 2019**

TO EACH GUARANTY ASSOCIATION WHICH HAS FILED A PROOF OF CLAIM AGAINST Commercial Compensation Casualty Company:

THE COURT HAS ORDERED THAT EACH GUARANTY ASSOCIATION WHICH FILED A PROOF OF CLAIM WITH Commercial Casualty Company MUST FILE A FINAL CLAIMS UPDATE BY **August 30, 2019**. *Please further note that the Court has ordered that all contingent, undetermined or unliquidated claims within the meaning of California Insurance Code Section 1025 must be made definite, liquidation and certain by June 30, 2019.*

Please set forth the amount of each here:

Paid losses:	
Paid expenses:	
Reserves for loss and expense in connection with outstanding known claims:	
Administrative expense:	
Early access payments:	
Statutory deposits collected:	
Grand Total:	

Along with your update, please submit each of the following: a claim run listing of the insured name, policy number, claim number, amount paid in loss and expense, and claimant name for each paid loss which you have paid; the insured name, policy number, claim number, liquidator number, outstanding reserve, nature of the loss and claimant name for each open case which you maintain.

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\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_ AT \_\_\_\_\_  
(DAY) (MONTH) (YEAR) (CITY) (STATE)

\_\_\_\_\_  
GUARANTY ASSOCIATION

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

**Please contact John Battle at (415)676-2102 or [battlej@caclo.org](mailto:battlej@caclo.org) should you have any questions.**

**Mail the completed form and supporting documents to:**

**John Battle**

**Commercial Compensation Casualty Co. c/o Conservation & Liquidation Office  
P.O. Box 26894 San Francisco, CA 94126-0894**

**Our Mission**  
The CLO, on behalf of the Insurance Commissioner, rehabilitates and/or liquidates, under Court supervision, troubled insurance enterprises domiciled in the State of California. In addition the CLO provides Special Examination Services, with Commissioner and Board oversight. As a fiduciary for the benefit of all claimants, the CLO handles the property of troubled or failed enterprises in a prudent, cost-effective, fair, timely, and expeditious manner.



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San Francisco, CA  
94126  
Tel: 415-676-5000  
Fax: 415-676-5002

**Conservation & Liquidation Office**

**Superior National Insurance Company  
GUARANTY ASSOCIATION UPDATE FORM**

**Claims Update Deadline: August 30, 2019**

TO EACH GUARANTY ASSOCIATION WHICH HAS FILED A PROOF OF CLAIM AGAINST Superior National Insurance Company:

THE COURT HAS ORDERED THAT EACH GUARANTY ASSOCIATION WHICH FILED A PROOF OF CLAIM WITH Superior National Insurance Company MUST FILE A FINAL CLAIMS UPDATE BY **August 30, 2019**. *Please further note that the Court has ordered that all contingent, undetermined or unliquidated claims within the meaning of California Insurance Code Section 1025 must be made definite, liquidation and certain by June 30, 2019.*

Please set forth the amount of each here:

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\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_  
(DAY) (MONTH) (YEAR) (CITY) (STATE)

\_\_\_\_\_  
GUARANTY ASSOCIATION

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

Please contact John Battle at (415)676-2102 or battlej@cacio.org should you have any questions.

Mail the completed form and supporting documents to:

John Battle

Superior National Insurance Co. c/o Conservation & Liquidation Office

P.O. Box 26894 San Francisco, CA 94126-0894

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94126  
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Fax: 415-676-5002

**Conservation & Liquidation Office**

**Superior Pacific Casualty Company  
GUARANTY ASSOCIATION UPDATE FORM**

**Claims Update Deadline: August 30, 2019**

TO EACH GUARANTY ASSOCIATION WHICH HAS FILED A PROOF OF CLAIM AGAINST Superior Pacific Casualty Company:

THE COURT HAS ORDERED THAT EACH GUARANTY ASSOCIATION WHICH FILED A PROOF OF CLAIM WITH Superior Pacific Casualty Company MUST FILE A FINAL CLAIMS UPDATE BY **August 30, 2019**. Please further note that the Court has ordered that all contingent, undetermined or unliquidated claims within the meaning of California Insurance Code Section 1025 must be made definite, liquidation and certain by **June 30, 2019**.

Please set forth the amount of each here:

Paid losses:	
Paid expenses:	
Reserves for loss and expense in connection with outstanding known claims:	
Administrative expense:	
Early access payments:	
Statutory deposits collected:	
Grand Total:	

Along with your update, please submit each of the following: a claim run listing of the insured name, policy number, claim number, amount paid in loss and expense, and claimant name for each paid loss which you have paid; the insured name, policy number, claim number, liquidator number, outstanding reserve, nature of the loss and claimant name for each open case which you maintain.

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\_\_\_\_ DAY OF \_\_\_\_\_ AT \_\_\_\_\_  
(DAY) (MONTH) (YEAR) (CITY) (STATE)

\_\_\_\_\_  
GUARANTY ASSOCIATION

\_\_\_\_\_  
CLAIMANT'S SIGNATURE

\_\_\_\_\_  
PRINT NAME AND TITLE

Please contact John Battle at (415)676-2102 or battlej@caclo.org should you have any questions.

Mail the completed form and supporting documents to:  
John Battle  
Superior Pacific Casualty Co. c/o Conservation & Liquidation Office  
P.O. Box 26894 San Francisco, CA 94126-0894

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

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

No.: **BS061974**

**CONSOLIDATED WITH: BS061675**

**BS062171**

**BS062173**

**BS063746**

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 April 2, 2019, I served the attached **DECLARATION OF JOHN BATTLE IN SUPPORT OF LIQUIDATOR'S MOTION FOR ORDER SETTING DATES FOR LIQUIDATION OF UNLIQUIDATED OR UNDETERMINED CLAIMS** 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, addressed as follows:

**PLEASE SEE ATTACHED 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 April 2, 2019, at Los Angeles, California.

C. Adams

Declarant



Signature



**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.:**               **BS061974**  
**CONSOLIDATED WITH:** **BS061675**  
                          **BS062171**  
                          **BS062173**  
                          **BS063746**

Alabama Insurance Guaranty Association 2020 Canyon Rd., Suite 200 Birmingham, AL 35216  POC Nos. 2600017, 6017168	Arizona State Compensation Fund PO Box 33069 Phoenix, AZ 85067-3069  POC No. 6017182
Industrial Commission of Arizona Attn: Renee Pastor 800 W. Washington Street Phoenix, AZ 85007  POC Nos. 2600020, 6017188, 6017201, 6017202	Arkansas Property & Casualty Guaranty Fund 1023 W Capitol Ave., Suite 2 Little Rock, AR 72201-3003  POC No. 6017169
California Insurance Guaranty Association PO Box 29066 Glendale, CA 91209-9066  POC Nos. 6017170, 6017181, 6017183, 6017189, 2600022	Colorado Insurance Guaranty Association 1720 S Bellaire St., Suite 408 Denver, CO 80222-4320  POC Nos. 2600009, 6017171, 6017184
Connecticut Insurance Guaranty Association 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600001	Delaware Insurance Guaranty Association 220 Continental Dr., Suite 309 Newark, DE 19713-4365  POC No. 2600023
Florida Insurance Guaranty Association PO Box 14249 Tallahassee, FL 32317-4249  POC No. 2600025	Georgia Insurers Insolvency Pool Attn: Michael Marchman, Executive Director 3700 Crestwood Pkwy., NW, Ste. 400 Duluth, GA 30096  POC Nos. 2600026, 6017173
Illinois Insurance Guaranty Fund 150 S. Wacker, Suite 2970 Chicago, IL 60606  POC No. 6017174	Kansas Insurance Guaranty Association 1720 S. Bellaire St. Ste. 408 Denver, CO 80222-4320  POC Nos. 2600011, 6017175

Louisiana Insurance Guaranty Association 2142 Quail Run Dr. Baton Rouge, LA 70808  POC Nos. 2600032, 6017177	Massachusetts Insurers Insolvency Fund 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600004
Mississippi Insurance Guaranty Association 713 South Pear Orchard Road, Suite 200 Ridgeland, MS 39157-4823  POC No. 2600036	Missouri Property and Casualty Insurance Guaranty Association 2210 Missouri Blvd. Jefferson City, MO 65109  POC No. 2600037, 6017178
Nevada Insurance Guaranty Association 3821 West Charleston Blvd., Suite 100 Las Vegas, NV 89102-1859  POC No. 6017185	New Jersey WC Rating and Inspection Bureau 60 Park Pl., Ste. 12 Newark, NJ 07102-5511  POC No. 6017197
New York State Insurance Dept. Liquidation Bureau 180 Maiden Lane, 14 <sup>th</sup> Floor New York, NY 10038-4925  POC Nos. 2600043, 6017200	Oklahoma P&C Insurance Guaranty Assoc. 2601 NW Expressway, Suite 800E Oklahoma City, OK 73112  POC Nos. 2600046, 6017180
Pennsylvania Worker's Compensation Security Fund 901 North 7th Street Harrisburg, PA 17102  POC No. 2600048	Tennessee Insurance Guaranty Association 3100 West End Avenue, Suite 670 Nashville, TN 37203-5805  POC No. 2600053
Texas P&C Insurance Guaranty Association 9120 Burnet Rd Austin, TX 78758-5204  POC Nos. 2600054, 6017191	Utah Property and Casualty Insurance Guaranty Association PO Box 1608 Sandy, UT 90491-1608  POC No. 2600055
United States Department of Health & Human Services - Region IX Attn: Assistant Regional Counsel 90 Seventh Street, Suite 4-500 San Francisco, CA 94103	

**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.: BS061974**  
**CONSOLIDATED WITH: BS061675**  
**BS062171**  
**BS062173**  
**BS063746**

<b>Iain A.W. Nasatir, Esq.</b> Pachulski Stang Ziehl Young & Jones 10100 Santa Monica Blvd., 11th Floor Los Angeles, CA 90067	<b>Robert E. Nagle</b> General Counsel & Vice President Superior Natl. Ins. Group, Inc. 49 Peregrine Circle Oak Park, CA 91377
<b>Peter J. Gurfein, Esq.</b> Landau Gottfried & Berger Llp 1801 Century Park East, Suite 700 Los Angeles, CA 90067	<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
<b>Joseph K. Hegedus, Esq.</b> Lewis, Brisbois, Bisgaard & Smith, Llp 221 N. Figueroa Street, Suite 1200 Los Angeles, CA 90012	<b>Conrad V. Sison</b> Locke Lord Llp 300 S. Grand Avenue, Ste. 800 Los Angeles, CA 90071-3200
<b>Terence Kenney</b> Wild Carey & Fife 120 Montgomery Street, Suite 1000 San Francisco, CA 94104-4313	<b>Deborah L. Stein</b> <b>Christopher A. Sant</b> Simpson Thacher & Bartlett LLP 1999 Avenue of the Stars, 29th Flr. Los Angeles, CA 90067

<b>Henry A. Knebel, Esq.</b> The Law Offices of Henry Knebel 28042 Avenue Stanford, Unit E. Valencia, CA 91355	<b>Christopher Norgaard, Esq.</b> <b>Nina B. Ries, Esq.</b> Newell, Campbell & Roche LLP 633 W. 5th Street, Suite 2600 Los Angeles, CA 90071
<b>Michael S. Lurey, Esq.</b> <b>Kimberly A. Posin, Esq.</b> <b>Lucas R. Bailey</b> Latham & Watkins 355 S. Grand Avenue Los Angeles, CA 90071	<b>Gerald C. Pluard Jr., Esq.</b> Kemper Insurance Companies – Legal One Temper Drive Long Grove, Illinois 60049-0001
<b>Linda M. Lasley, Esq.</b> Lewis Brisbois, Bisgaard & Smith 221 No. Figueroa St., Ste. 1200 Los Angeles, CA 90012	<b>Joel Ross</b> Risk Enterprise Management Ltd. 2540 Route 130, Suite 109 Cranbury, NJ 08512
<b>John McPherson</b> Hinshaw & Culbertson, LLP 633 W. 5th Street, 47th Floor Los Angeles, CA 90071	<b>Raymond J. Lester</b> Vice President & Associate General Counsel Trustmark Insurance Company 400 Field Drive Lake Forest, Illinois 60045
<b>Michael C. Zellers, Esq.</b> <b>Michelle McAloon, Esq.</b> Tucker Ellis & West LLP 515 S. Flower Street, 42nd Floor Los Angeles, CA 90071	<b>Linda Dakin-Grimm, Esq.</b> Milbank Tweed Hadley & McCloy LLP 2029 Century Park East, 33rd Floor Los Angeles, CA 90067 Ldakin-grimm@milbank.com
<b>Wayne Wilson</b> California Ins. Guarantee Association 101 N. Brand Blvd., Suite 600 Glendale, CA 91203	<b>Brian Currey, Esq.</b> <b>Erick Y. Kizirian, Esq.</b> O'Melveny & Meyers LLP 400 So. Hope Street Los Angeles, CA 90071-2899
<b>Gary A. Nye, Esq.</b> <b>Michael B. Adreani, Esq.</b> Roxborough, Pomerance Nye & Adreani 5820 Canoga Ave., #250 Woodland Hills, CA 91367	

# CONFORMED COPY

1 XAVIER BECERRA  
Attorney General of California  
2 LISA W. CHAO  
Supervising Deputy Attorney General  
3 State Bar No. 198536  
300 South Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 269-6239  
5 Fax: (213) 897-5775  
E-mail: Lisa.Chao@doj.ca.gov  
6 *Attorneys for Applicant Insurance Commissioner*  
*of the State of California, in his capacity as*  
7 *Liquidator of Superior National Insurance*  
*Company, Superior Pacific Casualty Company,*  
8 *California Compensation Insurance Company,*  
*Commercial Compensation Casualty Company and*  
9 *Combined Benefits Insurance Company*

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF LOS ANGELES

12 SPRING STREET COURTHOUSE

13  
14  
15 **INSURANCE COMMISSIONER OF THE**  
**STATE OF CALIFORNIA,**

16 Applicant,

17 v.

18 **SUPERIOR NATIONAL INSURANCE**  
19 **COMPANY,**

20 Respondent.

Case No.: BS061974

Consolidated with: BS061675  
BS062171  
BS062173  
BS063746

## ORDER SETTING DATES FOR LIQUIDATION OF UNLIQUIDATED OR UNDETERMINED CLAIMS

Date: May 2, 2019  
Time: 2:00 p.m.  
Dept: 14  
Judge: The Honorable Kenneth R.  
Freeman

21  
22  
23  
24  
25 **RECEIVED**  
**LOS ANGELES SUPERIOR COURT**

26 **APR 02 2019**  
27  
28

1 XAVIER BECERRA  
Attorney General of California  
2 LISA W. CHAO  
Supervising Deputy Attorney General  
3 State Bar No. 198536  
300 South Spring Street, Suite 1702  
4 Los Angeles, CA 90013  
Telephone: (213) 269-6239  
5 Fax: (213) 897-5775  
E-mail: Lisa.Chao@doj.ca.gov  
6 *Attorneys for Applicant Insurance Commissioner*  
*of the State of California, in his capacity as*  
7 *Liquidator of Superior National Insurance*  
*Company, Superior Pacific Casualty Company,*  
8 *California Compensation Insurance Company,*  
*Commercial Compensation Casualty Company and*  
9 *Combined Benefits Insurance Company*

**CONFORMED COPY  
ORIGINAL FILED**  
Superior Court of California  
County of Los Angeles

**APR 02 2019**

Sherri R. Carter, Executive Officer/Clerk of Court  
By: Brigitte De La Rosa, Deputy

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF LOS ANGELES

12 SPRING STREET COURTHOUSE

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

16 Applicant,

17 v.

18 **SUPERIOR NATIONAL INSURANCE**  
19 **COMPANY,**

20 Respondent.

Case No.: BS061974

Consolidated with: BS061675  
BS062171  
BS062173  
BS063746

**ORDER SETTING DATES FOR  
LIQUIDATION OF UNLIQUIDATED  
OR UNDETERMINED CLAIMS**

21 Date: May 2, 2019  
22 Time: 2:00 p.m.  
23 Dept: 14  
24 Judge: The Honorable Kenneth R.  
25 Freeman  
26  
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28

1 The Motion of the Insurance Commissioner of the State of California (Liquidator), in his  
2 capacity as Liquidator of Superior National Insurance Company, Superior Pacific Casualty  
3 Company, California Compensation Insurance Company, Combined Benefits Insurance Company  
4 and Commercial Compensation Casualty Company (collectively, the Insolvent Companies), for  
5 order Setting Dates for Liquidation of Unliquidated or Undetermined Claims was heard on May  
6 2, 2019, at 2:00 p.m. in Department 14 of the above-entitled court, the Honorable Kenneth R.  
7 Freeman, presiding.

8 The Court after reviewing the Motion, the Memorandum of Points and Authorities, the  
9 exhibits and declaration submitted in support thereof, and arguments having been heard and good  
10 cause appearing,

11 IT IS HEREBY ORDERED that:

- 12 1. The motion is granted;
- 13 2. The deadline by which all reported unliquidated or undetermined claims and  
14 unreported claims entitled to priority pursuant to Insurance Code section 1033, subdivision (a)(2)  
15 (Class 2) must be liquidated is June 30, 2019;
- 16 3. The deadline for claimants with open Class 2 claims to file claim update forms or  
17 for claimants to file previously unreported Class 2 claims with the Liquidator is August 30, 2019;  
18 and
- 19 4. The Liquidator is authorized to take any and all actions necessary to accomplish  
20 the purpose of this Order.

21  
22  
23 Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Kenneth R. Freeman  
Judge of the Superior Court

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

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

No.: **BS061974**

**CONSOLIDATED WITH: BS061675**

**BS062171**

**BS062173**

**BS063746**

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 April 2, 2019, I served the attached **ORDER SETTING DATES FOR LIQUIDATION OF UNLIQUIDATED OR UNDETERMINED CLAIMS** 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, addressed as follows:

**PLEASE SEE ATTACHED 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 April 2, 2019, at Los Angeles, California.

C. Adams

Declarant



Signature



**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.: BS061974  
CONSOLIDATED WITH: BS061675  
BS062171  
BS062173  
BS063746**

Alabama Insurance Guaranty Association 2020 Canyon Rd., Suite 200 Birmingham, AL 35216  POC Nos. 2600017, 6017168	Arizona State Compensation Fund PO Box 33069 Phoenix, AZ 85067-3069  POC No. 6017182
Industrial Commission of Arizona Attn: Renee Pastor 800 W. Washington Street Phoenix, AZ 85007  POC Nos. 2600020, 6017188, 6017201, 6017202	Arkansas Property & Casualty Guaranty Fund 1023 W Capitol Ave., Suite 2 Little Rock, AR 72201-3003  POC No. 6017169
California Insurance Guaranty Association PO Box 29066 Glendale, CA 91209-9066  POC Nos. 6017170, 6017181, 6017183, 6017189, 2600022	Colorado Insurance Guaranty Association 1720 S Bellaire St., Suite 408 Denver, CO 80222-4320  POC Nos. 2600009, 6017171, 6017184
Connecticut Insurance Guaranty Association 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600001	Delaware Insurance Guaranty Association 220 Continental Dr., Suite 309 Newark, DE 19713-4365  POC No. 2600023
Florida Insurance Guaranty Association PO Box 14249 Tallahassee, FL 32317-4249  POC No. 2600025	Georgia Insurers Insolvency Pool Attn: Michael Marchman, Executive Director 3700 Crestwood Pkwy., NW, Ste. 400 Duluth, GA 30096  POC Nos. 2600026, 6017173
Illinois Insurance Guaranty Fund 150 S. Wacker, Suite 2970 Chicago, IL 60606  POC No. 6017174	Kansas Insurance Guaranty Association 1720 S. Bellaire St. Ste. 408 Denver, CO 80222-4320  POC Nos. 2600011, 6017175

Louisiana Insurance Guaranty Association 2142 Quail Run Dr. Baton Rouge, LA 70808  POC Nos. 2600032, 6017177	Massachusetts Insurers Insolvency Fund 1 Bowdoin Square, Suite 200 Boston, MA 02114-2919  POC No. 2600004
Mississippi Insurance Guaranty Association 713 South Pear Orchard Road, Suite 200 Ridgeland, MS 39157-4823  POC No. 2600036	Missouri Property and Casualty Insurance Guaranty Association 2210 Missouri Blvd. Jefferson City, MO 65109  POC No. 2600037, 6017178
Nevada Insurance Guaranty Association 3821 West Charleston Blvd., Suite 100 Las Vegas, NV 89102-1859  POC No. 6017185	New Jersey WC Rating and Inspection Bureau 60 Park Pl., Ste. 12 Newark, NJ 07102-5511  POC No. 6017197
New York State Insurance Dept. Liquidation Bureau 180 Maiden Lane, 14 <sup>th</sup> Floor New York, NY 10038-4925  POC Nos. 2600043, 6017200	Oklahoma P&C Insurance Guaranty Assoc. 2601 NW Expressway, Suite 800E Oklahoma City, OK 73112  POC Nos. 2600046, 6017180
Pennsylvania Worker's Compensation Security Fund 901 North 7th Street Harrisburg, PA 17102  POC No. 2600048	Tennessee Insurance Guaranty Association 3100 West End Avenue, Suite 670 Nashville, TN 37203-5805  POC No. 2600053
Texas P&C Insurance Guaranty Association 9120 Burnet Rd Austin, TX 78758-5204  POC Nos. 2600054, 6017191	Utah Property and Casualty Insurance Guaranty Association PO Box 1608 Sandy, UT 90491-1608  POC No. 2600055
United States Department of Health & Human Services - Region IX Attn: Assistant Regional Counsel 90 Seventh Street, Suite 4-500 San Francisco, CA 94103	

**SERVICE LIST BY FIRST CLASS MAIL**

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

**NO.: BS061974**  
**CONSOLIDATED WITH: BS061675**  
**BS062171**  
**BS062173**  
**BS063746**

<b>Iain A.W. Nasatir, Esq.</b> Pachulski Stang Ziehl Young & Jones 10100 Santa Monica Blvd., 11th Floor Los Angeles, CA 90067	<b>Robert E. Nagle</b> General Counsel & Vice President Superior Natl. Ins. Group, Inc. 49 Peregrine Circle Oak Park, CA 91377
<b>Peter J. Gurfein, Esq.</b> Landau Gottfried & Berger Llp 1801 Century Park East, Suite 700 Los Angeles, CA 90067	<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
<b>Joseph K. Hegedus, Esq.</b> Lewis, Brisbois, Bisgaard & Smith, Llp 221 N. Figueroa Street, Suite 1200 Los Angeles, CA 90012	<b>Conrad V. Sison</b> Locke Lord Llp 300 S. Grand Avenue, Ste. 800 Los Angeles, CA 90071-3200
<b>Terence Kenney</b> Wild Carey & Fife 120 Montgomery Street, Suite 1000 San Francisco, CA 94104-4313	<b>Deborah L. Stein</b> <b>Christopher A. Sant</b> Simpson Thacher & Bartlett LLP 1999 Avenue of the Stars, 29th Flr. Los Angeles, CA 90067

<b>Henry A. Knebel, Esq.</b> The Law Offices of Henry Knebel 28042 Avenue Stanford, Unit E. Valencia, CA 91355	<b>Christopher Norgaard, Esq.</b> <b>Nina B. Ries, Esq.</b> Newell, Campbell & Roche LLP 633 W. 5th Street, Suite 2600 Los Angeles, CA 90071
<b>Michael S. Lurey, Esq.</b> <b>Kimberly A. Posin, Esq.</b> <b>Lucas R. Bailey</b> Latham & Watkins 355 S. Grand Avenue Los Angeles, CA 90071	<b>Gerald C. Pluard Jr., Esq.</b> Kemper Insurance Companies – Legal One Temper Drive Long Grove, Illinois 60049-0001
<b>Linda M. Lasley, Esq.</b> Lewis Brisbois, Bisgaard & Smith 221 No. Figueroa St., Ste. 1200 Los Angeles, CA 90012	<b>Joel Ross</b> Risk Enterprise Management Ltd. 2540 Route 130, Suite 109 Cranbury, NJ 08512
<b>John McPherson</b> Hinshaw & Culbertson, LLP 633 W. 5th Street, 47th Floor Los Angeles, CA 90071	<b>Raymond J. Lester</b> Vice President & Associate General Counsel Trustmark Insurance Company 400 Field Drive Lake Forest, Illinois 60045
<b>Michael C. Zellers, Esq.</b> <b>Michelle McAloon, Esq.</b> Tucker Ellis & West LLP 515 S. Flower Street, 42nd Floor Los Angeles, CA 90071	<b>Linda Dakin-Grimm, Esq.</b> Milbank Tweed Hadley & McCloy LLP 2029 Century Park East, 33rd Floor Los Angeles, CA 90067 Ldakin-grimm@milbank.com
<b>Wayne Wilson</b> California Ins. Guarantee Association 101 N. Brand Blvd., Suite 600 Glendale, CA 91203	<b>Brian Currey, Esq.</b> <b>Erick Y. Kizirian, Esq.</b> O'Melveny & Meyers LLP 400 So. Hope Street Los Angeles, CA 90071-2899
<b>Gary A. Nye, Esq.</b> <b>Michael B. Adreani, Esq.</b> Roxborough, Pomerance Nye & Adreani 5820 Canoga Ave., #250 Woodland Hills, CA 91367	