

1 KAMALA D. HARRIS  
 Attorney General of California  
 2 DIANE S. SHAW  
 3 W. DEAN FREEMAN  
 Supervising Deputy Attorneys General  
 4 LISA W. CHAO, State Bar No. 198536  
 Deputy Attorney General  
 5 300 South Spring Street, Room 1702  
 6 Los Angeles, California 90071  
 Telephone: (213) 897-2481  
 7 Facsimile: (213) 897-5775  
 8 E-mail: [Lisa.Chao@doj.ca.gov](mailto:Lisa.Chao@doj.ca.gov)

9 MICHAEL R. WEISS, State Bar No. 180946  
 EPSTEIN TURNER WEISS  
 10 A Professional Corporation  
 633 W. Fifth Street, Suite 3330  
 11 Los Angeles, California 90071  
 Telephone: (213) 861-7487  
 12 Facsimile: (213) 861-7488  
 13 Email: [mrw@epsteinturnerweiss.com](mailto:mrw@epsteinturnerweiss.com)

14 Attorneys for Applicant  
 15 Insurance Commissioner of the State of California

16 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 17 **FOR THE COUNTY OF LOS ANGELES**

19 INSURANCE COMMISSIONER OF THE  
 STATE OF CALIFORNIA,

20 Applicant,

21 v.

22 GOLDEN STATE MUTUAL LIFE  
 23 INSURANCE COMPANY, a California  
 corporation,

24 Respondent.

Case No. BS123005  
 Assigned to Hon. Joanne O'Donnell, Dept. 86

**NOTICE OF APPLICATION AND  
 APPLICATION FOR ORDER  
 AUTHORIZING LIQUIDATOR TO SELL  
 REAL PROPERTY LOCATED AT 8237-  
 8247 SOUTH STATE STREET, CITY OF  
 CHICAGO, ILLINOIS**

[Filed concurrently with Memorandum,  
 Proposed Order, and Proof of Service]

Date: March 25, 2015  
 Time: 9:30 a.m.  
 Dept: 86

1 **TO: (1) THE LOS ANGELES SUPERIOR COURT;**  
 2 **(2) ALL PERSONS AND ENTITIES KNOWN TO THE LIQUIDATOR TO**  
 3 **HAVE A SUBSTANTIAL UNSATISFIED CLAIM THAT MAY BE AFFECTED**  
 4 **BY THE REQUESTED COURT ORDERS; AND**  
 5 **(3) ALL INTERESTED PARTIES,**

6 **PLEASE TAKE NOTICE** that on March 25, 2015, at 9:30 a.m., or as soon thereafter as the  
 7 parties may be heard, in Department 86 of the Los Angeles Superior Court for the State of  
 8 California, County of Los Angeles, located at 111 N. Hill Street, Los Angeles, California 90012  
 9 (“Court”), Applicant Insurance Commissioner of the State of California in his capacity as  
 10 Liquidator (“Liquidator”) of Golden State Mutual Life Insurance Company (“Golden State”), will  
 11 and hereby does apply to the Court and submit this application for the following Court orders:

12 1. A Court Order authorizing the Liquidator to sell the real property, owned by Golden  
 13 State, located at 8237-8247 South State Street in Chicago, Illinois 60619 [APN: 20-34-118-013,  
 14 014, 015, 016] (the “Property”), to Goshen Seventh-Day Adventists (“Goshen”), pursuant to the  
 15 terms of the Real Estate Purchase Agreement Subject To Liquidation Court Confirmation between  
 16 the Liquidator and Goshen (“Purchase Agreement”); and

17 2. A Court Order authorizing the Liquidator to take any and all actions necessary to  
 18 accomplish the purposes of the above requested Order.

19 **Grounds for the Application**

20 This application is made pursuant to Insurance Code § 1037 and the Order Appointing  
 21 Liquidator for Golden State on the grounds that the sale of the Property to Goshen is within the  
 22 Liquidator’s discretion, is geared towards maximizing Golden State’s liquidation estate value and is  
 23 in the best interests of Golden State’s creditors, because: (1) The prior purchaser, Learn Together  
 24 Grow Together, approved by the Court on June 18, 2014, terminated its purchase of the Property  
 25 due to unanticipated defective conditions at the Property; (2) The sale price of \$150,000 is the  
 26 reasonable fair market value for the Property; (3) Goshen is a third party purchaser not related to the  
 27 Liquidator or to any person involved in Golden State’s liquidation; (4) The Property was used for  
 28 Golden State’s district office in Chicago, California and has been listed for sale for over four years

1 since October 15, 2010; (5) The sale of the Property stops the further expenditure of Golden State’s  
2 limited assets on property maintenance expenses including maintenance, insurance, property taxes  
3 and other costs associated with ownership and maintenance of the Property; and (6) The sale is  
4 consistent with the Liquidator’s duty to marshal and monetize Golden State’s remaining assets for  
5 distribution to creditors, and is consistent with the Liquidator’s authority and discretion under the  
6 Court’s Order Appointing Liquidator, the Insurance Code and case law.

7 Accordingly, Court approval for the sale of the Property to Goshen is appropriate.

8 This application is based on this Notice, the Memorandum of Points and Authorities and the  
9 declarations of Scott Pearce, Peter C. Kane and Michael R. Weiss, and evidence filed concurrently  
10 with this Notice, the pleadings, documents and papers on file in this action, all documents and other  
11 evidence submitted in this action, and on such oral and/or documentary evidence and/or arguments  
12 which may be presented at the hearing on this application.

13 **Copies of Liquidator’s Application and Supporting Evidence and Documents**

14 Copies of the Liquidator’s Notice, Memorandum with evidence and Proposed Order  
15 supporting this application can be reviewed and downloaded at the Insurance Commissioner’s  
16 Conservation & Liquidation Office’s website at [www.caclo.org/GoldenStateMutual](http://www.caclo.org/GoldenStateMutual).

17 **Response or Opposition to Application**

18 Any response or opposition to this application shall be filed with the Court and served by  
19 mail or e-mail to Liquidator’s attorney Michael R. Weiss, with supporting evidence, on or before  
20 March 12, 2015. The Liquidator shall file any replies, with supporting evidence, on or before  
21 March 18, 2015. The address for Golden State’s attorney Michael R. Weiss for service is:

22 Michael R. Weiss  
23 Epstein Turner Weiss  
24 A Professional Corporation  
25 633 W. Fifth Street, Suite 3330  
26 Los Angeles, California 90071  
27 Telephone: (213) 861-7487  
28 Facsimile: (213) 861-7488  
Email: [mrw@epsteinturnerweiss.com](mailto:mrw@epsteinturnerweiss.com).

27 //

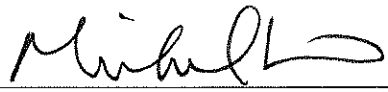
28 //

1 No action is required on your part if you do not oppose this Application.  
2

3 DATE: February 18, 2015

KAMALA D. HARRIS  
Attorney General of California  
DIANE S. SHAW  
W. DEAN FREEMAN  
Supervising Deputy Attorneys General  
LISA W. CHAO  
Deputy Attorney General

8 EPSTEIN TURNER WEISS  
A Professional Corporation

9  
10 By:   
11 MICHAEL R. WEISS  
12 Attorneys for Applicant  
13 INSURANCE COMMISSIONER OF THE  
14 STATE OF CALIFORNIA  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28