

ORIGINAL FILED

APR 16 2004

LOS ANGELES  
SUPERIOR COURT

1 ROBERT H. NUNNALLY, JR.  
State Bar Number 134151  
2 WISENER★NUNNALLY★GOLD, LLP  
625 West Centerville Road, Suite 110  
3 Garland, Texas 75041  
(972) 840-9080  
4 Fax (972) 840-6575

5 Attorneys for Insurance Commissioner

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7 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
8 FOR THE COUNTY OF LOS ANGELES

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10 JOHN GARAMENDI, Insurance  
Commissioner of the State of California,

11 Applicant,

12 vs.

13 MISSION INSURANCE COMPANY, a  
California corporation,

14 Respondent.

) Case No. C 572 724

) Honorable J. Stephen Czuleger

) ~~PROPOSED~~ ORDER WHICH  
) AUTHORIZES CLOSING PROCEDURE FOR  
) ENTERPRISE INSURANCE COMPANY  
) TRUST

) April 16, 2004 at 8:30 a.m.

) Department: 50

) Filed: October 31, 1985

15  
16 Consolidated with Case Numbers

17 C 576 324; C 576 416;  
18 C 576 323; C 576 325; C 629709

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ORDER TO AUTHORIZE ENTERPRISE CLOSING

1 On the 16<sup>th</sup> day of April, 2004, the Court considered the Insurance Commissioner's  
2 Motion to Authorize Closing Procedure for Enterprise Insurance Company. Notice of this  
3 motion was given to the service list and to the list of interested parties.

4 The Court finds that no opposition was filed to this order. The Court finds that the requested  
5 relief is not an abuse of discretion, and further is in the best interests of the estate. The Court  
6 accordingly GRANTS the motion. The Court authorizes the payment of an interim distribution  
7 to approved policyholder class claims, to bring their distribution percentage to fifty eight percent.  
8 The Court also sets the date of

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10 Sept 24, 2004, as the hour of 8:30 a.m., as the hearing date on closing for  
11 Enterprise Insurance Company Trust. The Court at that time will consider issuing an order to:

- 12 a. settle the final accounts of the Insurance Commissioner and discharge the Insurance  
13 Commissioner as Trustee and as Liquidator;  
14 b. settle and approve the final accounting of the Insurance Commissioner;  
15 c. affirm the distribution of Danielson shares pro rata to all policyholders and creditors;  
16 d. authorize the closing of the Enterprise Insurance Company estate, subject to this Court's  
17 continuing jurisdiction should further unanticipated collections be received after the date of closing,  
18 which will necessitate a further distribution;  
19 e. authorize the Mission Insurance Company Trust and Mission National Insurance Company to  
20 make any future distributions on general creditor proof of claims to be made directly to the  
21 Enterprise Insurance Company Trust claimants.  
22 f. take such steps as are necessary and proper to close the Enterprise Insurance Company Trust.  
23 g. consider such orders as to the timing of the final closing as may be appropriate;  
24 h. discharge the Liquidator and Trustee;  
25 i. authorize the Trustee to maintain the records of Enterprise Insurance Company Trust for three  
26 years, after which such records may be destroyed in the Trustee's discretion;  
27 j. order that the Trustee and Liquidator shall have no liability of any kind or nature arising from the  
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1 activities prior to or during the liquidation of Enterprise Insurance Company and the Enterprise  
2 Insurance Company Trust.

3 The Court hereby sets the deadline for any oppositions to be filed forty days prior to the final  
4 hearing date, and any replies by the Insurance Commissioner to be filed fourteen days prior to the  
5 final hearing date, with a copy served upon the service list.

6 So ordered.

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8 Signed this 16 day of April, 2004

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J. STEPHEN CZULEGER

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Judge of the Superior Court

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