

RECEIVED

JUN 07 2013

Dept. 307

COPY

ORIGINAL FILED

AUG 26 2013

LOS ANGELES
SUPERIOR COURT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

KAMALA D. HARRIS
Attorney General of California
W. DEAN FREEMAN
FELIX E. LEATHERWOOD
Supervising Deputy Attorneys General
LISA W. CHAO
Deputy Attorney General
State Bar No. 198536
300 South Spring Street, Room 1702
Los Angeles, California 90013
Telephone: (213) 897-2481
Fax: (213) 897-5775
E-mail: Lisa.Chao@doj.ca.gov
Attorneys for Applicant
Insurance Commissioner of the State of California,
as Liquidator of Fremont Indemnity Company

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL CIVIL WEST

INSURANCE COMMISSIONER OF THE
STATE OF CALIFORNIA,

Applicant,

v.

FREMONT INDEMNITY COMPANY,

Respondent.

CASE NO. BS083582

~~[PROPOSED]~~ ORDER APPROVING
LIQUIDATOR'S PROPOSAL TO
DISBURSE ASSETS TO STATE
INSURANCE GUARANTEE
ASSOCIATIONS OR FUNDS [INS. CODE
§ 1035.5]

Date: July 16, 2013
Time: 1:30 p.m.
Dept.: CCW-307
Judge: Honorable William Highberger

1 The Ninth Verified Application for Order Approving Liquidator's Proposal to Disburse
2 Assets to State Insurance Guarantee Associations or Funds of the Insurance Commissioner of the
3 State of California, in his capacity as Liquidator of Fremont Indemnity Company ("Liquidator"),
4 was heard in Department 307 of the above-entitled court, on July 16, 2013, at 1:30 p.m., the
5 Honorable William Highberger, presiding. Having read and considered the Application, the
6 Memorandum of Points and Authorities submitted in support thereof and, argument having been
7 heard and good cause appearing,

8 IT IS HEREBY ORDERED that:

- 9 1. The Application is granted;
- 10 2. The Liquidator is authorized to disburse \$25,564,790 of the assets of Fremont
11 Indemnity Company in liquidation to the state insurance guarantee associations or funds, subject
12 to final adjustments of the disbursement amount; and
- 13 3. The Liquidator is authorized to take any and all action necessary to accomplish the
14 purposes of this Order.

15
16
17
18 Dated: _____

8/26/13

WILLIAM F. HIGHBERGER

The Honorable William Highberger
Judge of the Superior Court

19
20
21
22
23
24
25 LA2003CV0857
51306255.docx

DECLARATION OF SERVICE BY CERTIFIED MAIL AND FIRST CLASS MAIL
(Separate Mailings)

Case Name: **Insurance Commissioner v. Fremont Indemnity Company**

No.: **BS083582**

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 June 7, 2013, I served the attached **[PROPOSED] ORDER APPROVING LIQUIDATOR'S PROPOSAL TO DISBURSE ASSETS TO STATE INSURANCE GUARANTEE ASSOCIATIONS OR FUNDS [INS. CODE § 1035.5]** by placing a true copy thereof enclosed in a sealed envelope as certified mail with return receipt requested, and another true copy of the **[PROPOSED] ORDER APPROVING LIQUIDATOR'S PROPOSAL TO DISBURSE ASSETS TO STATE INSURANCE GUARANTEE ASSOCIATIONS OR FUNDS [INS. CODE § 1035.5]** was enclosed in a second sealed envelope as first class mail 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:

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 7, 2013, at Los Angeles, California.

Linda Richardson
Declarant



Signature

SERVICE LIST

Case Name: Insurance Commissioner v. Fremont Indemnity Company
L. A. S. C. Case No.: BS083582

C. Guerry Collins, Esq.
Locke Lord Bissell & Liddell LLP
300 S. Grand Ave., Suite 800
Los Angeles, CA 90071-3200
Fax: 213-485-1200

Joseph E. Thomas
Thomas Whitelaw & Tyler LLP
18101 Von Karman Avenue, Suite 230
Irvine, CA 92612
Fax: 949-679-6405

Dean Hansell, Esq.
Hogan Lovells US LLP
1999 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Fax: 310-785-4601

Joel F. Citron, Esq.
Law Offices of Joel F. Citron
3420 Ocean Park Blvd., Suite 3030
Santa Monica, CA 90405
Fax: 310-450-3851

Lawrence A. Tabb, Esq.
Musick, Peeler & Garrett LLP
One Wilshire Blvd., Suite 2000
Los Angeles, CA 90017-3383
Fax: 213-624-1376

Nicholas Peter Roxborough, Esq.
Roxborough, Pomerance & Nye LLP
5820 Canoga Avenue, Suite 250
Woodland Hills, CA 91367
Fax: 818-992-9991

John F. Finston
Sonnenschein, Nath & Rosenthal LLP
525 Market Street, 26th Floor
San Francisco, CA 94105-2708
Fax: 415-882-0300

David B. Babbe, Esq.
Morrison & Foerster LLP - Los Angeles
555 West Fifth Street, Suite 3500
Los Angeles, CA 90013-1024
Fax: 213-892-5454

Paul Woolls, Esq.
H. Douglas Galt, Esq.
Gregory B. Scher
Woolls & Peer
A Professional Corporation
One Wilshire Boulevard, 22nd Floor
Los Angeles, CA 90017
Fax: 213-629-1660

Michael C. Lieb, Esq.
Willenken Wilson Loh & Lieb LLP
707 Wilshire Blvd., Suite 3850
Los Angeles, CA 90017
Fax: 213-955-9250

George T. Caplan, Esq.
Epstein Becker & Green, P.C.
Kristopher S. Davis, Esq.
1925 Century Park East, Suite 500
Los Angeles, CA 90067-2506
Fax: 310-553-2165

Linda Dakin-Grimm, Esq.
Milbank, Tweed, Hadley & McCloy LLP
601 South Figueroa Street, 30th Floor
Los Angeles, CA 90017
Fax: 213-629-5063

Russell Hayman, Esq.
G. Jill Basinger, Esq.
McDermont Will & Emry LLP
2049 Century Park East, Suite 3800
Los Angeles, CA 90067-3218
Fax: 310-277-4730

CERTIFIED SERVICE LIST

<p>Betty S. Davis Executive Director Alabama Insurance Guaranty Association 2020 Canyon Road, Suite 200 Birmingham, AL 35216</p>	<p>Susan R. Daniels AIC Fund Administrator Alaska Insurance Guaranty Association c/o Northern Adjusters, Inc. 1401 Rudakof Circle, Suite 100 Anchorage, AK 99508</p>
<p>Michael E. Surguine Executive Director Arizona Insurance Guaranty Funds 1110 West Washington, Suite 270 Phoenix, AZ 85007</p>	<p>Steve A. Uhrynawycz, Esq. Administrator Arkansas Property & Casualty Guaranty Fund 1023 West Capitol Avenue, Suite 2 Little Rock, AR 72201</p>
<p>Wayne D. Wilson Executive Director California Insurance Guarantee Association P. O. Box 29066 Glendale, CA 91209-9066</p>	<p>David C. Edwards President Colorado -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>
<p>Paul M. Gulko, Esq. President Connecticut -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>	<p>Barbara Cox Vice President & Corporate Secretary National Conference of Insurance Guaranty Funds 300 N. Meridian Street, Suite 1020 Indianapolis, IN 46204</p>
<p>Paul M. Gulko, Esq. President District of Columbia -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>	<p>John J. Falkenbach Executive Director Delaware Insurance Guaranty Association 220 Continental Drive, Suite 309 Newark, DE 19713</p>
<p>Sandra Robinson, President Florida Insurance Guaranty Association P.O. Box 14249 Tallahassee, FL 32317</p>	<p>Sandra J. Robinson, President Florida Workers Compensation Insurance Guaranty Association P.O. Box 15159 Tallahassee, FL 32317</p>
<p>Michael C. Marchman Executive Director Georgia Insurers Insolvency Pool 2177 Flintstone Drive, Suite R Tucker, GA 30084</p>	<p>Blake J. Obata, Administrator Hawaii Insurance Guaranty Association 1001 Bishop Street American Savings Bank Tower, Suite 1160 Honolulu, HI 96813</p>
<p>David C. Edwards President Idaho -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>	<p>Anne A. Sharp Executive Director Illinois Insurance Guaranty Fund 120 South LaSalle Street, Suite 1910 Chicago, IL 60603</p>

CERTIFIED SERVICE LIST

<p>Janis B. Funk Executive Director Indiana Insurance Guaranty Association 8777 Purdue Road, Suite 360 Indianapolis, IN 46268</p>	<p>Steven M. Augspurget General Counsel Iowa Insurance Guaranty Association 801 Grand Avenue, Suite 3700 Des Moines, IA 50309-8004</p>
<p>David C. Edwards President Kansas -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>	<p>A. Scott Webster , Executive Director Kentucky Insurance Guaranty Association 10605 Shelbyville Road, Suite 101 Louisville, KY 40222</p>
<p>John Wells Director of Operations & Logistics Louisiana Insurance Guaranty Association 2142 Quail Run Drive Baton Rouge, LA 70808-4126</p>	<p>Paul M. Gulko, Esq. President Maine -Guaranty Fund Management Services One Bowdoin Square Boston MA 02114-2916</p>
<p>Paul M. Gulko, Esq. President Massachusetts -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>	<p>Joseph R. Petr, President Maryland Property & Casualty Insurance Guaranty Corporation 305 Washington Avenue, Suite 600 Towson, MD 21204-4715</p>
<p>Thomas R. Kujawa Executive Director Michigan Property & Casualty Guaranty Association 39810 Grand River Avenue, Suite 120 Novi, MI 48375</p>	<p>Paul Steffen Executive Director Minnesota Insurance Guaranty Association 7600 Parklawn Ave., Suite 460 Edina, MN 55435</p>
<p>Arthur Russell Executive Director Mississippi Insurance Guaranty Assn. 713 South Pear Orchard Road, Suite 200 Ridgeland, MS 39157-4823</p>	<p>Charles F. Renn Executive Director Missouri Property & Casualty Insurance Guaranty Association 994 Diamond Ridge, Suite 102 Jefferson City, MO 65109</p>
<p>David C. Edwards, President Montana -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>	<p>L. Dean Fletcher, Administrator Nebraska Property & Liability Insurance Guaranty Association 1610 South 70th Street, Suite 100 Lincoln, NE 68506</p>
<p>Bruce W. Gilbert Executive Director Nevada Insurance Guaranty Association 3821 W. Charleston Blvd., Suite 100 Las Vegas, NV 89102-1859</p>	<p>Paul M. Gulko, Esq. President New Hampshire -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>

CERTIFIED SERVICE LIST

Joseph L. DellaFera , Executive Director New Jersey Property-Liability Insurance Guaranty Association 222 Mount Airy Road Basking Ridge, NJ 07920	Joseph L. Della Fera, Chief Executive Director New Jersey Workers' Compensation Security Fund 222 Mt. Airy Road Basking Ridge, NJ 07920
Gary M. Keenan, Fund Administrator New Mexico Insurance Guaranty Association c/o Keenan & Associates, Inc. 11501 Montgomery Boulevard, N.E. Albuquerque, NM 87111	Dennis J. Hayes Special Deputy Superintendent New York State Insurance Department Liquidation Bureau 110 William Street, 15th Floor New York, NY 10038
Raymond F. Evans, Jr. Managing Secretary North Carolina Insurance Guaranty Association 5401 Six Forks Road Raleigh, NC 27609-4435	Jeffrey J. Cahill Managing Secretary North Dakota Insurance Guaranty Association 843 Munich Drive Bismarck, ND 58504
Steve Durish, President Ohio/ West Virginia Insurance Guaranty Association 1840 Mackenzie Drive Columbus, OH 43220	Larry W. Fitch, General Manager Oklahoma Property & Casualty Insurance Guaranty Association 2601 Northwest Expressway, Suite 330E Oklahoma City, OK 73112
David C. Johnson Administrator Oregon Insurance Guaranty Association 10700 Southwest Beaverton Highway, Suite 426 Beaverton, OR 97005-3019	Stephen Perrone, Executive Director Pennsylvania Property & Casualty Insurance Guaranty Association 1617 John F. Kennedy Boulevard One Penn Center, Suite 1850 Philadelphia, PA 19103
Laura S. Keller , Claims Manager Pennsylvania Workers' Compensation Security Fund Pennsylvania Insurance Department Bureau of Special Funds 901 North 7th Street Harrisburg, PA 17102	Jose E. Camacho Postigo Executive Director Puerto Rico Property & Casualty Insurance Guaranty Association 789 San Patricio Avenue Las Lomas Development San Juan, PR 00921
Paul M. Gulko, Esq. President Rhode Island -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916	J. Smith Harrison, Executive Director/Secretary South Carolina Property & Casualty Insurance Guaranty Association 240 Stoneridge Drive One Greystone Building, Suite 101 Columbia, SC 29210

CERTIFIED SERVICE LIST

<p>Edwin E. Evans South Dakota Property & Casualty Insurance Guaranty Association c/o Davenport, Evans, Hurwitz & Smith 206 West 14th Street Sioux Falls, SD, 57104</p>	<p>David Broemel Executive Secretary Tennessee Insurance Guaranty Association 1600 Division Street, Suite 680 Nashville, TN 37203</p>
<p>Marvin Kelly , Executive Director Texas Property & Casualty Insurance Guaranty Association 9120 Burnet Road Austin, TX 78758</p>	<p>Allen Muhlestein Executive Director Utah Property & Casualty Insurance Guaranty Association 7400 S. Union Park Ave., Suite 201 Midvale, UT 84047</p>
<p>Paul M. Gulko, Esq. President Vermont -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>	<p>Paul M. Gulko, Esq. President Virginia -Guaranty Fund Management Services One Bowdoin Square Boston, MA 02114-2916</p>
<p>David C. Edwards President Washington -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>	<p>Steve Durish, President West Virginia - Insurance Guaranty Association 1840 Mackenzie Drive Columbus, OH 43220</p>
<p>Randy Blumer Executive Director Wisconsin Insurance Security Funds 2820 Walton Commons West, Suite 135 Madison, WI 53718-6797</p>	<p>David Edwards President Wyoming -Western Guaranty Fund Services 1720 South Bellaire Street, Suite 408 Denver, CO 80222</p>

CERTIFIED SERVICE LIST

<p>Ken Vines, Commissioner Wyoming Insurance Department 106 East 6th Avenue Cheyenne, Wyoming 82002-0440</p>	<p>Linda S. Hall, Director Alaska Division of Insurance 550 West 7th Avenue, Suite 1560 Anchorage, Alaska 99501-3567</p>
<p>Jim L. Ridling, Commissioner Alabama Department of Insurance 201 Monroe Street, Suite 502 Montgomery, Alabama 36104</p>	<p>Jay Bradford, Commissioner Arkansas Insurance Department 1200 West 3rd Street Little Rock, Arkansas 72201-1904</p>
<p>Christina Urias, Director Arizona Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018-7269</p>	<p>John J. Postolowski, Interim Commissioner Colorado Division of Insurance 1560 Broadway, Suite 850 Denver, Colorado 80202</p>
<p>Thomas B. Leonardi, Commissioner Connecticut Department of Insurance 153 Market Street, 7th Floor Hartford, Connecticut 06103</p>	<p>William P. White, Commissioner Dept. of Insurance & Securities Reg. Government of the District of Columbia 810 First Street, N. E., Suite 701 Washington, DC 20002</p>
<p>Karen Weldin Stewart, Commissioner Delaware Department of Insurance 841 Silver Lake Boulevard Dover, Delaware 19904</p>	<p>Jeff Atwater Chief Financial Officer Florida Department of Financial Services State Capitol Plaza Level Eleven Tallahassee, Florida 32399-0300</p>
<p>Kevin McCarty Commissioner of Insurance Regulation Office of Insurance Regulation The Larson Building 200 E. Gaines Street, Room 101 Tallahassee, Florida 32399-0301</p>	<p>Ralph T. Hudgens, Commissioner Georgia Department of Insurance 2 Martin Luther King, Jr. Drive West Tower, Suite 704 Atlanta, Georgia 30334</p>
<p>Gordon I. Ito, Commissioner Hawaii Insurance Division Dept. of Commerce & Consumer Affairs 335 Merchant Street, Room 213 Honolulu, Hawaii 96813</p>	<p>Susan E. Voss, Commissioner Iowa Insurance Division 330 E. Maple Street Des Moines, Iowa 50319-0065</p>
<p>William W. Deal, Director Idaho Department of Insurance 700 West State Street, 3rd Floor Boise, Idaho 83720-0043</p>	<p>Michael T. McRaith, Director Illinois Department of Insurance 320 W. Washington Street Springfield, Illinois 62767-0001</p>
<p>Stephen W. Robertson, Commissioner Indiana Department of Insurance 311 W. Washington Street, Suite 300 Indianapolis, Indiana 46204-2787</p>	<p>Sandy Praeger, Commissioner Kansas Department of Insurance 420 S.W. 9th Street Topeka, Kansas 66612-1678</p>

CERTIFIED SERVICE LIST

<p>Sharon P. Clark, Commissioner Kentucky Department of Insurance 215 West Main Street Frankfort, Kentucky 40601</p>	<p>James J. Donelon, Commissioner Louisiana Department of Insurance Attn: Chad Brown 1702 N. 3rd Street Baton Rouge, Louisiana 70802</p>
<p>Joseph G. Murphy, Commissioner Massachusetts Division of Insurance 1000 Washington Street, 8th Floor Boston, Massachusetts 02118-6200</p>	<p>Elizabeth Sammis, Acting Commissioner Maryland Insurance Administration 200 St. Paul Place, Suite 2700 Baltimore, Maryland 21202</p>
<p>Mila Kofman, Superintendent Maine Bureau of Insurance Dept. of Professional & Financial Reg. 34 State House Station Augusta, Maine 04333-0034</p>	<p>Ken Ross, Commissioner State of Michigan Office of Financial and Insurance Services Attn: Office of the Commissioner Ottawa Bldg 3rd Floor, 611 W. Ottawa Lansing, Michigan 48933</p>
<p>Mike Rothman, Commissioner Minnesota Department of Commerce 85 7th Place East, Suite 500 St. Paul, Minnesota 55101</p>	<p>John M. Huff, Director Missouri Department of Insurance 301 West High Street, Suite 530 Jefferson City, Missouri 65102</p>
<p>Mike Chaney, Commissioner Mississippi Insurance Department 1001 Woolfolk State Office Building 501 N. West Street Jackson, Mississippi 39201</p>	<p>Monica Lindeen, Commissioner Montana Department of Insurance 840 Helena Avenue Helena, Montana 59601</p>
<p>Wayne Goodwin, Commissioner North Carolina Dept. of Insurance Dobbs Building 430 N. Salisbury Street Raleigh, North Carolina 27603-5926</p>	<p>Adam Hamm, Commissioner North Dakota Dept. of Insurance State Capitol, Fifth Floor 600 E. Boulevard Bismarck, North Dakota 58505-0320</p>
<p>Bruce R. Rame, Director Nebraska Department of Insurance 941 'O' Street, Suite 400 Lincoln, Nebraska 68501-2089</p>	<p>Roger A. Sevigny, Commissioner New Hampshire Insurance Department 21 South Fruit Street, Suite 14 Concord, New Hampshire 03301</p>
<p>Thomas B. Considine, Commissioner New Jersey Department of Insurance 20 West State Street Trenton, New Jersey 08625-0325</p>	<p>John Franchini, Superintendent New Mexico Division of Insurance PERA Building 1120 Paseo de Peralta Santa Fe, New Mexico 87501</p>
<p>Brett J. Barratt, Commissioner Nevada Division of Insurance 1818 East College Pkwy, Suite 103 Carson City, Nevada 89706</p>	<p>James J. Wrynn, Superintendent New York State Ins. Department 25 Beaver Street New York, New York 10004</p>

CERTIFIED SERVICE LIST

Mary Taylor, Director Ohio Department of Insurance 50 West Town Street Third Floor, Suite 300 Columbus, Ohio 43215	John D. Doak, Commissioner Oklahoma Department of Insurance Five Corporate Plaza 3625 NW 56 th Street, Suite 100 Oklahoma City, Oklahoma 73112
Teresa Miller, Insurance Administrator Oregon Insurance Division 350 Winter Street NE, Room 440 Salem, Oregon 97301-3883	Michael F. Consedine, Commissioner Pennsylvania Insurance Department 1326 Strawberry Square Harrisburg, Pennsylvania 17120
Ramon L. Cruz Colon, Commissioner Puerto Rico Department of Insurance B5 Calle Tabonuco Suite 216 PMB356 Guaynabo, Puerto Rico 00968-3029	Joseph Torti, III, Superintendent Rhode Island Insurance Division Dept. of Business Regulation 1511 Pontiac Avenue, Building 69-2 Cranston, Rhode Island 02920
David Black, Director South Carolina Dept. of Insurance 1201 Main Street, Suite 1000 Columbia, South Carolina 29201	Merle D. Scheiber, Director South Dakota Division of Insurance Department of Revenue & Regulation 445 East Capitol Avenue Pierre, South Dakota 57501-3185
Julie Mix McPeak, Commissioner Tennessee Dept. of Commerce & Ins. Davy Crockett Tower, Fifth Floor 500 James Robertson Parkway Nashville, Tennessee 37243-0565	Mike Geeslin, Commissioner Texas Department of Insurance 333 Guadalupe Street Austin, Texas 78701
Neal T. Gooch, Commissioner Utah Department of Insurance State Office Building Room 3110 Salt Lake City, Utah 84114-6901	Jacqueline K. Cunningham, Commissioner State Corporation Commission Virginia Bureau of Insurance 1300 East Main Street Richmond, Virginia 23219
Steve Kimbell, Commissioner Vermont Division of Insurance Dept. of Banking, Ins. & Securities 89 Main Street Montpelier, Vermont 05620-3101	Mike Kreidler, Commissioner Washington State Office of the Insurance Commissioner 5000 Capitol Boulevard, SE Tumwater, Washington 98501
Ted Nickel, Commissioner Office of the Commissioner of Insurance State of Wisconsin 125 South Webster Street Madison, Wisconsin 53703-3474	Jane L. Cline, Commissioner West Virginia Dept. of Insurance State of West Virginia 1124 Smith Street Charleston, West Virginia 25301