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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF SAN FRANCISCO**

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

14 Applicant,

15 v.

16 **MUNICIPAL MUTUAL INSURANCE COMPANY,**

17 Respondent.
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**ENDORSED
FILED**
San Francisco County Superior Court

APR 24 2007

GORDON PARK-LI, Clerk
BY: PHILOMENA DIAS
Deputy Clerk

CPF-07-507033

**[PROPOSED] ORDER
AUTHORIZING MODIFIED
CLAIMS PROCESS AND
NOTICE THEREOF**

Date: April 24, 2007

Time: 9:30 A.M.

Location: Superior Court, County
of San Francisco

Law & Motion D-301

400 McAllister Street

San Francisco, CA 94102

Judge: Hon. PETER BUSCH

21 The Motion of the Insurance Commissioner, in his capacity as liquidator of Municipal
22 Mutual Insurance Company, having come on before the Court on April 24, 2007, and the court
23 having considered the Motion, the Memorandum of Points and Authorities, the declarations, exhibit,
24 and the file and record herein, finds that there is good cause to grant the motion, and to authorize the
25 liquidator to provide statutory notice to file claims only to Commercial General Liability
26 policyholders, whose claims may occupy Class 2 of the priority scheme for the liquidation of
27 insolvent insurers set forth in California Insurance Code Section 1033. The court finds that good
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1 cause exists because the Insurance Commissioner has determined, based upon facts as presently
2 known to him, that there are insufficient assets in the estate of Municipal Mutual Insurance Company
3 to pay any claimants in creditor classes subordinate to Class 2, as described in California Insurance
4 Code Section 1033; and moreover, for the reasons set forth in the motion, the expense of providing
5 notice to claimants in classes subordinate to Class 2 would be a financial burden to the estate without
6 providing any benefit to any members within those classes. Should the Insurance Commissioner,
7 at any later time, determine that there shall be assets sufficient to reach any other class of claimant
8 below class 2, the Commissioner shall at that time give notice to that class of creditors, and solicit
9 proofs of claims from that class or classes of creditors, and shall thereafter adjudicate such claims
10 as are filed in the manner set forth in the California Insurance Code.

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12 Dated: APR 25 2007

PETER J. BUSCH

JUDGE OF THE SUPERIOR COURT

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