

FILED
MERCED COUNTY

2023 FEB 23 AM 9:56

CLERK OF THE SUPERIOR COURT
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9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF MERCED

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

15 Applicant,

16 v.

17 **MERCED PROPERTY & CASUALTY**
18 **COMPANY, a California corporation,**

19 Respondent.

18CV-04739

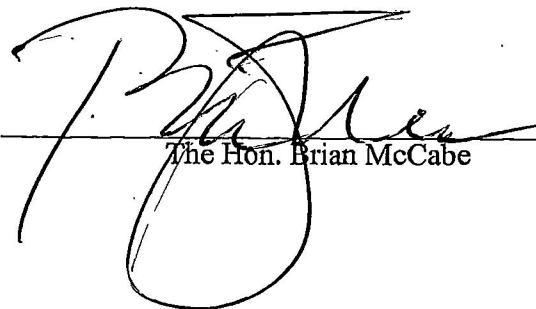
**[REDACTED] ORDER APPROVING
LIQUIDATOR'S 1) PAYMENT OF
ADMINISTRATIVE AND
PROFESSIONAL FEES AND EXPENSES
FOR THE PERIOD OF MAY 1, 2021, TO
OCTOBER 31, 2022 AND 2) SECOND
INTERIM DISBURSEMENT OF
MERCED ASSETS**

Date: February 23, 2023
Time: 8:15 a.m.
Dept: 8
Judge: Hon. Brian McCabe
Action Filed: November 30, 2018

23 The Application of the Insurance Commissioner of the State of California (Commissioner),
24 in his capacity as Liquidator of Merced Property & Casualty Company (Merced), for an Order
25 Approving Payment of Administrative and Professional Fees and Expenses for the Period of May
26 1, 2021, to October 31, 2022, and Second Interim Disbursement of Merced Assets was heard in
27 Department 8 of the above-entitled court on February 23, 2023, at 8:15 a.m., the Honorable Brian
28

1 McCabe presiding. Having read and considered the Application, the Memorandum of Points and
2 Authorities, the Declaration of Scott Pearce submitted in support thereof, the Exhibits submitted
3 in support thereof and, argument having been heard and good cause appearing,
4 IT IS HEREBY ORDERED that:
5 1. The Application is granted;
6 2. The Commissioner's payment of administrative and professional fees and expenses in
7 the total amount of \$661,591 for the period of May 1, 2021, through October 31, 2022, is
8 approved;
9 3. The Commissioner is authorized to disburse and pay a total of \$2,371,890 from the
10 assets of the Merced estate to the California Insurance Guarantee Association, with proper notice
11 of the application to approve this disbursement having been provided to the California Insurance
12 Guarantee Association and to all interested parties pursuant to Insurance Code section 1035.5,
13 subdivision (e);
14 4. The Commissioner is authorized to disburse and pay a total of \$1,259,064 from the
15 assets of the Merced estate to the approved 40 Class 2 Merced policyholders for the unpaid
16 portion of the estate's 33 "over-cap" claims and for the seven additional non "over-cap" claims to
17 be paid at 100 percent; and
18 5. The Commissioner is authorized to take any and all action necessary to accomplish
19 the purposes of this Order.

20 Dated: FEB 23 2023


The Hon. Brian McCabe

DECLARATION OF SERVICE BY E-MAIL

Case Name: **Insurance Commissioner of the State of California
v. Merced Property & Casualty Co.**
No.: **Superior Court of California, County of Merced, # 18CV-04739**

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.

On January 27, 2023, I served the attached [~~PROPOSED~~] **ORDER APPROVING LIQUIDATOR'S 1) PAYMENT OF ADMINISTRATIVE AND PROFESSIONAL FEES AND EXPENSES FOR THE PERIOD OF MAY 1, 2021, TO OCTOBER 31, 2022 AND 2) SECOND INTERIM DISBURSEMENT OF MERCED ASSETS** by transmitting a true copy via electronic mail, addressed as follows:

Jeffrey D. Neumeyer, Esq.
Sr. Vice President, General Counsel and
Corporate Secretary
United Heritage Financial Group
Email to jneumeyer@unitedheritage.com

Brad Roeber
Executive Director
California Insurance Guarantee Association
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I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on January 27, 2023, at Sacramento, California.

Danielle Jones
Declarant


Signature

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