

1 ROB BONTA  
Attorney General of California  
2 MOLLY K. MOSLEY  
Supervising Deputy Attorney General  
3 DEBBIE J. VOROUS  
Deputy Attorney General  
4 State Bar No. 166884  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 210-7349  
Fax: (916) 323-7095  
7 E-mail: Debbie.Vorous@doj.ca.gov  
*Attorneys for Applicant Insurance Commissioner  
8 of the State of California*

FILED  
MERCED COUNTY  
2021 OCT 26 AM 8:25

CLERK OF THE  
SUPERIOR COURT  
DEPUTY

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF MERCED

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

14 Applicant,

15 v.

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

18 Respondent.

Case No. 18CV-04739

**~~PROPOSED~~ ORDER APPROVING  
LIQUIDATOR'S 1) PAYMENT OF  
ADMINISTRATIVE AND  
PROFESSIONAL FEES AND EXPENSES  
FOR THE PERIOD OF APRIL 1, 2019,  
TO APRIL 30, 2021 AND 2) INTERIM  
DISBURSEMENT OF MERCED ASSETS**

Date: October 26, 2021  
Time: 8:15 a.m.  
Dept: 8  
Judge: Hon. Brian McCabe  
Action Filed: November 30, 2018

Donald J. Roie H.

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 April  
26 1, 2019, to April 30, 2021, and Interim Disbursement of Merced Assets was heard in Department  
27 8 of the above-entitled court on October 26, 2021, at 8:15 a.m., the Honorable Brian McCabe  
28 presiding. Having read and considered the Application, the Memorandum of Points and

1 Authorities, the Declaration of Scott Pearce submitted in support thereof, the Exhibits submitted  
2 in support thereof and, argument having been heard and good cause appearing,

3 IT IS HEREBY ORDERED that:

4 1. The Application is granted;

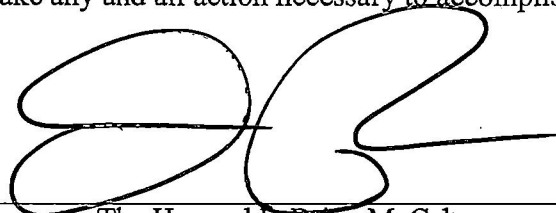
5 2. The Commissioner's payment of administrative and professional fees and expenses in  
6 the total amount of \$1,480,769 for the period of April 1, 2019, through April 30, 2021, is  
7 approved;

8 3. The Commissioner is authorized to disburse and pay a total of \$20,220,137 from the  
9 assets of the Merced estate to the California Insurance Guarantee Association, with proper notice  
10 of the application to approve this disbursement having been provided to the California Insurance  
11 Guarantee Association and to all interested parties pursuant to Insurance Code section 1035.5,  
12 subdivision (e);

13 4. The Commissioner is authorized to disburse and pay a total of \$3,563,938 from the  
14 assets of the Merced estate to the Merced policyholders for approved "over-cap" claims; and

15 5. The Commissioner is authorized to take any and all action necessary to accomplish  
16 the purposes of this Order.

17  
18 Dated: 10-26-2021



The Honorable Brian McCabe

DONALD J. PROIETTI

**DECLARATION OF SERVICE BY OVERNIGHT COURIER**

Case Name: **Insurance Commissioner of the State of California  
v. Merced Property & Casualty Co.**

Case No.: **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; my business address is: 1300 I Street, Suite 125, P.O. Box 944255, Sacramento, CA 94244-2550.

On September 14, 2021, I served the attached **[PROPOSED] ORDER APPROVING PAYMENT OF ADMINISTRATIVE AND PROFESSIONAL FEES AND EXPENSES FOR THE PERIOD OF APRIL 1, 2019, TO APRIL 30, 2021 AND FOR THE INTERIM DISBURSEMENT OF MERCED ASSETS** by placing a true copy thereof enclosed in a sealed envelope with the **General Logistics Systems (GLS)**, addressed as follows:

Jeffrey D. Neumeyer, Esq.  
Sr. Vice President, General Counsel and Corporate Secretary  
United Heritage Financial Group  
707 E. United Heritage Court  
Meridian, ID 83642

Brad Roeber  
Executive Director  
California Insurance Guarantee Association  
101 N. Brand Avenue, Ste. 600  
Glendale, CA 91203

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 September 14, 2021, at Sacramento, California.

\_\_\_\_\_  
M. Garcia  
Declarant

\_\_\_\_\_  


Signature