

At IAS Part 15 of the Supreme Court of the State of New York, County of New York, at the Courthouse, 71 ~~Centre~~ <sup>THOMAS</sup> Street, in the County, City and State of New York, on the 6<sup>TH</sup> day of AUGUST, 2018. RH 304

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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In the Matter of

Index No.: 452965/15

the Liquidation of

**ORDER TO SHOW CAUSE**

DRIVERS INSURANCE COMPANY.

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Based on the affirmation of Lauren M. Reber, an attorney with the New York Liquidation Bureau (the "NYLB"), which acts as the staff of Maria T. Vullo, Superintendent of Financial Services of the State of New York in her capacity as liquidator (the "Liquidator") of Drivers Insurance Company ("Drivers"), dated the 2<sup>nd</sup> day of August, 2018 (the "Reber Affirmation"), and the exhibits attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of the Liquidator, and after due deliberation having been had thereon,

LET all creditors, claimants and persons interested in the affairs of Drivers or counsel appear and show cause before this Court at IAS Part 15 thereof, at the Courthouse located at 71 Thomas ~~Centre~~ Street, Room 304, New York, New York, on the 14 day of November, 2018 (the "Return Date") at 10 o'clock A.m., or as soon thereafter as counsel can be heard, why an order, substantially in the form attached as Exhibit "1" to the Reber Affirmation, should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*: (1) approving the

Liquidator's recommendation to allow the remaining unallowed portion of the claim of the New York Property Casualty Insurance Security Fund ("PC Fund") in the amount of \$419,825 for claim payments made and expenses incurred by the PC Fund from June 30, 2017 to June 30, 2018; (2) approving the Liquidator's report and request to close the Drivers liquidation proceeding (the "Liquidation Proceeding") and the financial transactions delineated in the report; (3) authorizing the continued payment of administrative expenses, if any, including such expenses for the closing of the Liquidation Proceeding; (4) terminating and closing the Liquidation Proceeding; (5) authorizing the NYLB, after the termination of the Liquidation Proceeding and without further order of the Court, to receive any additional assets of Drivers that may be delivered to the NYLB, and to use such assets, first, to pay administrative expenses incurred in connection with the receipt and distribution of such assets, and then to distribute them *pro rata* to allowed Class two claimants; (6) releasing and discharging the Liquidator, her predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the Liquidation Proceeding; and (7) granting the Liquidator such other and further relief as this Court deems appropriate and just.

AND, sufficient cause having been alleged therefor, it is hereby

ORDERED, that the Liquidator shall give notice of this application by: (i) posting this Order to Show Cause and its supporting papers on the Internet web page maintained by the NYLB at <http://www.nylb.org> at least 15 days before the Return Date; and (ii) publishing the notice substantially in the form attached as Exhibit "2" to the Reber Affirmation in the *New York*

*Newsday*, or a publication of similar circulation, such publication to occur within 30 days following the date of this Order to Show Cause; and it is further

ORDERED, that answering papers, either in support of or opposition to the relief sought herein (the "Answering Papers"), shall be served on the Liquidator at the following address:

Superintendent of Financial Services of the State of New York  
as Liquidator of Drivers Insurance Company  
110 William Street, 15<sup>th</sup> Floor  
New York, New York 10038  
Attention: General Counsel

at least seven (7) days before the Return Date, and that any Answering Papers, together with an affidavit of service, shall be filed with the Court on or before the Return Date.

ENTER:



J.S.C.

**HON. MELISSA A. CRANE**  
J.S.C.