

At the Supreme Court of the State of New York, County of Albany, at the Courthouse, 16 Eagle Street, in the County and City of Albany, State of New York, on the 20th day of June, 2018.

P R E S E N T:

HON. RICHARD M. PLATKIN, J.S.C.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ALBANY

-----X  
In the Matter of

the Liquidation of

FRONTIER INSURANCE COMPANY.  
-----X

INDEX NO.: 000097/2018  
**ORDER TO SHOW CAUSE**

RECEIVED  
2018 JUN 20 PM 1:17  
ALBANY COUNTY CLERK

Upon the reading and filing of the annexed verified petition ("Verified Petition") of David Axinn, Special Deputy Superintendent of the New York Liquidation Bureau ("NYLB") and Agent of the Superintendent of Financial Services as liquidator ("Liquidator") of Frontier Insurance Company ("Frontier"), duly verified on the 18<sup>th</sup> day of June, 2018 and the June 18, 2018 affirmation of Lauren M. Reber, attorney for the NYLB, and it appearing that the relief sought should be granted;

NOW, on motion of John Pearson Kelly, attorney for the Liquidator, and after due deliberation having been had thereon,

LET all claimants and parties interested in the affairs of Frontier show cause before this Court at Albany County Courthouse, located at 16 Eagle Street, in the County and City of Albany, State of New York, on the 7<sup>th</sup> day of September, 2018 ("Return Date") at 10:30 o'clock a.m., or as soon thereafter as counsel can be heard ("Return Date"), why an order, substantially in the form attached as Exhibit A to the Verified Petition, should not be made,

pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), *inter alia*: (i) authorizing the Liquidator to sell the real property located at 195 Lake Louise Marie Road, Rock Hill, New York, (the "Property") consisting of approximately 15.23 acres of land, as more fully described in the Commercial Contract of Sale ("Contract") annexed as Exhibit B to the Verified Petition, that includes a building, improvements and a portion of a parking lot located thereon to The Center for Discovery ("Buyer") for \$3,600,000; (ii) approving the terms and conditions of the Contract; (iii) authorizing the Liquidator to execute all necessary closing documents and take the necessary steps to effect, carry out and consummate the sale of the Property to the Buyer; (iv) disallowing, extinguishing and barring any other ownership claims to the Property that were or could have been submitted to the Liquidator in this liquidation proceeding; and (v) providing for such other and further relief as this Court may deem just and proper;

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

ORDERED, that notice of this Order to Show Cause and Verified Petition shall be deemed good and proper service if served by: (i) posting the Order to Show Cause and Verified Petition on the Internet web page maintained by the NYLB at <http://www.nylb.org> at least 15 days before the Return Date; (ii) mailing the notice, substantially in the form attached as Exhibit 1 to this Order to Show Cause, with this Order to Show Cause and its supporting papers by United States first class mail to each of the following recipients: (a) Jonathan L. Gay, Esq., Attorney for the Commonwealth of Kentucky Department of Workers' Claims and the Kentucky Coal Employers' Self-Insurance Guarantee Fund, Walther, Gay & Mack, PLC, 163 E. Main Street, Suite 200, Lexington, KY 40507; (b) Frances M. McLaughlin, Esq., and Sharon Williams, Esq., Attorneys for the United States, United States Department of Justice, P.O. Box

875, Ben Franklin Station, Washington, DC 20044; (c) Law Office of Mark Kook, Attorney for Callon Petroleum Co., Logo Holdings, LLC and the Martin Family Trust, 270 Madison Avenue, Suite 1203, New York, New York 10016; (d) John A. Petrilli, Esq., Senior Vice President and General Counsel, Lancer Financial Group, Inc., 370 West Park Avenue, Long Beach, NY 11561; and (e) Walter Garigliano, General Counsel for the County of Sullivan Industrial Development Agency, 1 Cablevision Center Road, Ferndale, NY 12734 and 100 North Street, Monticello, NY 12701, 15 days after the issuance of this Order to Show Cause; and (iii) publication of the notice in the *Insurance Advocate*, or a publication of similar circulation, with publication to occur as soon as practicable following entry of this Order to Show Cause; and it is further

ORDERED, that any answering papers in support of or in opposition to this application ("Answering Papers") be served so as to be received by the Liquidator at least 7 days prior to the Return Date, and that such service shall be made at the following addresses:

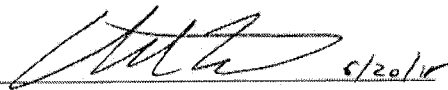
New York Liquidation Bureau  
110 William Street, 15<sup>th</sup> Floor  
New York, New York 10038  
Attention: John Pearson Kelly, General Counsel

and by filing the Answering Papers with this Court on or before the Return Date.

\* The Court will not consider any opposition that is not timely served and filed.

ENTER

\*\* The Liquidator may reply to any opposition prior to the return date.



J. S. C.

\*\*\* The personal appearances of the Liquidator and any party opposing the requested relief are directed on the return; provided, however, the Liquidator may request that its appearance be excused if there is no opposition to Order to Show Cause.

(PD)

# EXHIBIT 1

**IN THE MATTER OF THE LIQUIDATION OF  
FRONTIER INSURANCE COMPANY  
Supreme Court County of Albany  
Index No.: 000097/2006**

**CONFORMED NOTICE**

Pursuant to an order of the Supreme Court of the State of New York, County of Albany (“Court”), entered on November 16, 2012, the Superintendent of Financial Services of the State of New York and all successors in office were appointed as liquidator (“Liquidator”) of Frontier Insurance Company (“Frontier”) and, as such, have been directed to take possession of Frontier’s property and liquidate its business and affairs pursuant to Article 74 of the New York Insurance Law (“Insurance Law”). The Liquidator has, pursuant to Insurance Law Article 74, appointed David Axinn, Special Deputy Superintendent (“Special Deputy”), as her agent to liquidate the business of Frontier. The Special Deputy carries out his duties through the New York Liquidation Bureau, 110 William Street, New York, New York 10038. The Liquidator has submitted to the Court a Verified Petition seeking an order: (i) authorizing the Liquidator to sell the real property located at 195 Lake Louise Marie Road, Rock Hill, New York, (the “Property”) consisting of approximately 15.23 acres of land, as more fully described in the Commercial Contract of Sale (“Contract”) annexed as Exhibit B to the Verified Petition, that includes a building, improvements and a portion of a parking lot located thereon to The Center for Discovery (“Buyer”) for \$3,600,000; (ii) approving the terms and conditions of the Contract; (iii) authorizing the Liquidator to execute all necessary closing documents and take the necessary steps to effect, carry out and consummate the sale of the Property to the Buyer; (iv) disallowing, extinguishing and barring any other ownership claims to the Property that were or could have been submitted to the Liquidator in this liquidation proceeding; and (v) providing for such other and further relief as this Court may deem just and proper;

A hearing is scheduled on the Verified Petition on the 7<sup>th</sup> day of September, 2018, at 10:30 a.m. (“Return Date”), before the Honorable Richard M. Platkin, J.S.C., Supreme Court of the State of New York at Albany County Courthouse, located at 16 Eagle Street, Albany, New York. If you wish to object to the Verified Petition, you must serve a written statement setting forth your objections and all supporting documentation (“Answering Papers”) upon the Liquidator at least 7 days prior to the hearing and filing the Answering Papers with the court on or before the Return Date. The Court will not consider any opposition that is not timely served and filed. The Liquidator may reply to any opposition prior to the Return Date. The personal appearances of the Liquidator and any party opposing the requested relief are directed on the Return Date; provided, however, the Liquidator may request that its appearance be excused if there is no opposition to the Order to Show Cause. Service on the Liquidator shall be made by first class mail at the following address:

Superintendent of Financial Services of the State of New York as  
Liquidator of Frontier Insurance Company  
110 William Street  
New York, New York 10038  
Attention: John Pearson Kelly  
General Counsel

The Verified Petition is available for inspection at <http://www.nylb.org>. In the event of any discrepancy between this notice and the documents submitted to Court, the documents control.

Requests for further information should be directed to the New York Liquidation Bureau, at (212) 341-6580

Dated: June 21, 2018

Maria T. Vullo  
Superintendent of Financial Services of the  
State of New York as Liquidator of  
Frontier Insurance Company

David Axinn  
Special Deputy Superintendent  
And Agent of Maria T. Vullo, Superintendent  
of Financial Services of the  
State of New York as Liquidator of  
Frontier Insurance Company