

Mct 002

At IAS Part 36 of the Supreme Court of the State of New York, County of New York, at the courthouse, 60 Centre Street, in the County, City and State of New York, on the 20 day of Feb, 2014.

P R E S E N T:

HON. DORIS LING-COHAN, U.S.C. **LING-COHAN**

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In the Matter of

Index No.: 451373/13

the Liquidation of

ORDER TO SHOW CAUSE

GRAND CENTRAL ASSURANCE CORPORATION.

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Based on the verified petition ("Verified Petition") of John Pearson Kelly, Assistant Special Deputy Superintendent and Agent of Benjamin M. Lawskey, Superintendent of Financial Services of the State of New York as liquidator ("Liquidator") of Grand Central Assurance Corporation ("GCAC"), duly verified the 18th day of February, 2014, and the exhibits attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein, and it appearing that the relief sought 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 GCAC show cause before this Court at IAS Part 36 thereof, Room 428, at the Courthouse located at 60 Centre Street, in the County, City and State of New York, on the 1 day of April, 2014 ("Return Date") at 2:30 o'clock p.m., or as soon thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), *inter alia*:

(i) approving the Liquidator's report on the status of GCAC's liquidation proceeding

(“Liquidation Proceeding”); (ii) terminating and closing the Liquidation Proceeding; (iii) releasing and discharging the Liquidator, his predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts and omissions in connection with the Liquidation Proceeding; (iv); authorizing and directing the Liquidator, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other property of GCAC without further order of this Court; and (v) providing for such other and further relief as this Court deems appropriate and just.

AND, sufficient cause having been alleged therefore, and this Court having found the form and method of notice specified herein to be the best notice practicable, it is hereby

ORDERED, that notice of the Verified Petition and this Order to Show Cause shall be substantially in the form attached hereto as Exhibit 1 and service shall be made by: (i) regular mail upon the respective members of GCAC’s initial Board of Directors, at their last known address; (ii) posting on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least 15 business days prior to the return date; and (iii) publication in *Business Insurance* or *Insurance Advocate*, or a publication of similar circulation, once per week for two consecutive publications as soon as practicable in light of the publication schedule of such publication; and such service shall be deemed good and sufficient service; and it is further

ORDERED, that the form and methods of service of notice specified herein are hereby approved as in accordance with the law and as the best notice practicable and shall therefore constitute due and sufficient notice of this Order to Show Cause and scheduled Return Date herein and the Verified Petition and the relief sought therein to all persons and entities entitled to receive such notice; and it is further

ORDERED, that the approved form of notice shall direct that all answering papers and supporting documentation (“Answering Papers”) be served on the Liquidator so as to be received at least seven days prior to the Return Date, and that 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 Grand Central Assurance Corporation
110 William Street
New York, New York 10038
Attention: General Counsel

and by submitting copies of the Answering Papers, with affidavit of service on the Liquidator as above, to this Court at IAS Part 36, Room 428 at the Courthouse located at 60 Centre Street in the County, City and State of New York, seven days before the Return Date, and it is further

in an envelope w/ page 1 of this order affixed to envelope

ORDERED, that in the absence of Answering Papers filed pursuant to the previous paragraph on or prior to the date specified, the Court may enter relief without hearing and no party shall be entitled to be heard thereon; and it is further

ORDERED, that any person or entity that fails to serve Answering Papers as provided herein shall be deemed to have waived any objections to the relief sought in the Verified Petition and shall be barred from raising objections in this or any other proceeding concerning the matters set forth herein; and it is further

ORDERED, that any person or entity that has served Answering Papers as provided herein shall be deemed to have waived any objections that are not set forth in the Answering Papers.

ENTER



J. S.C.

JUSTICE DORIS LING-COHAN