

At IAS Part 32 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 8 day of NOV, 2017.

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

In the Matter of
the Liquidation of
ICM INSURANCE COMPANY.

Index No.: 452122/13
(Bluth, A., J.S.C.)
ORDER TO SHOW CAUSE

M. # 007

Based on the affirmation of Eric S. Hong, 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 ICM Insurance Company ("ICM"), dated the 6th day of November, 2017 (the "Hong 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 ICM or counsel appear and show cause before this Court at IAS Part 32, thereof, at the Courthouse located at 60 Centre Street, Room 432, New York, New York, on the 13 day of December 2017 (the "Return Date") at 2¹⁵ o'clock P.m., or as soon thereafter as counsel can be heard, why an order, substantially in the form attached as Exhibit "1" to the Hong Affirmation, should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*: (1) approving the

Liquidator's report and request to close the ICM liquidation proceeding (the "Liquidation Proceeding") and the financial transactions delineated in such report; (2) authorizing the continued payment of administrative expenses, including such expenses for the closing of the Liquidation Proceeding; (3) terminating and closing the Liquidation Proceeding; (4) authorizing the NYLB, after the termination of the Liquidation Proceeding and without further order of the Court, to receive any additional assets of ICM 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; (5) 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 (6) 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 Hong Affirmation in *USA Today*, such publication to occur once a week for two consecutive weeks commencing within 20 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 ICM Insurance Company

110 William Street, 15th 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:



11/8/17
NYNY

J.S.C.

HON. ARLENE P. BLUTH