

At IAS Part 12 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 28 day of JULY, 2010.

P R E S E N T:

HON. PAUL G. FEINMAN, J.S.C.

-----X
In the Matter of

the Liquidation of

MAGNAHEALTH OF NEW YORK, INC.
-----X

Index No.: 402576/05

ORDER AND JUDGMENT

A motion having regularly come on to be heard before this Court on the 28 day of July, 2010, for an order and judgment granting the motion of Superintendent of Insurance of the State of New York as liquidator (the "Liquidator") of MagnaHealth of New York, Inc. ("MagnaHealth"), by Dennis J. Hayes, Special Deputy Superintendent (the "Special Deputy") and agent of the Liquidator for termination and closure of MagnaHealth's liquidation proceeding (the "Liquidation Proceeding");

NOW, upon the Special Deputy's Verified Petition, dated April 8, 2010, and due proof of service thereof upon MagnaHealth's known creditors with allowed or unadjudicated claims and all other interested parties, and due deliberation having been had thereon;

NOW, on application of John Pearson Kelly, Esq., attorney for the Liquidator, it is

ORDERED ~~AND ADJUDGED~~, that the ^{petition} application is granted; and it is further

ORDER ~~AND ADJUDGED~~, that the within Liquidation Proceeding is terminated and closed; and it is further

004

~~ORDERED AND ADJUDGED~~, that the Liquidator, his predecessors and successors in office, and their agents, attorneys, clerks, assistants and employees are released and discharged from any and all liability arising from or relating to their acts or omissions in connection with this Liquidation Proceeding; and it is further

~~ORDER AND ADJUDGED~~, that the New York Liquidation Bureau is authorized to receive and disburse to MagnaHealth's shareholders, in accordance with their shareholder agreement and without further application to this Court, any funds that are received after the termination and closure of this Liquidation Proceeding; and it is further

ORDERED ~~AND ADJUDGED~~, that the Liquidator is authorized and directed to destroy or otherwise dispose of any and all of the books, files, records and other property of MagnaHealth without further order of this Court.

Liquidation Proceeding is granted. ORDERED a judgment that the petition to terminate this

ENTER

PAF

J.S.C.

HON. PAUL G. FEINMAN

JUDGMENT ENTERED THIS
20 DAY OF *Aug*, 2010

Norman *Carlman*
Clerk

FILED
AUG 20 2010
COUNTY CLERK'S OFFICE
NEW YORK

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

In the Matter of

the Liquidation of

MAGNAHEALTH OF NEW YORK, INC.

ORDER AND JUDGMENT

JOHN PEARSON KELLY

Attorney for Superintendent of Insurance as Liquidator

Office and Post Office Address, Telephone

New York Liquidation Bureau
123 William Street
New York, NY 10038-3889
(212) 341-6755
Fax (2121) 608-3398

ATTORNEY CERTIFICATION

The undersigned, an attorney admitted to practice in the courts of New York State, certifies that, upon information, belief and reasonable inquiry, the contentions in the above referenced document(s) are not frivolous.

Dated: July 28, 2010
New York, New York

M Dell'Orto
Melissa A. Dell'Orto

[] NOTICE OF ENTRY

that the within is a (certified) true copy of a
duly entered in the office of the clerk of the within named court on the day of 2010

[] NOTICE OF SETTLEMENT

that an order
settlement to the HON.

of which the within is a true copy will be presented for
one of the judges of the within named court, at
2010 at

Dated:

Yours, etc.

John Pearson Kelly
JOHN PEARSON KELLY
Attorney for Superintendent of Insurance as
Liquidator

Office and Post Office Address, Telephone
New York Liquidation Bureau
123 William Street
New York, NY 10038-3889
(212) 341-6755
Fax (212) 608-3398

FILED
AUG 20 2010
12:38
AT NY. CO. CLKS OFFICE

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

PRESENT: HON. PAUL G. FEINMAN

Justice

PART 12

*In the Matter of the Liquidation of
Magnum Health of New York, Inc.*

- v -

INDEX NO.

402 576/05

MOTION DATE

MOTION SEQ. NO.

004

MOTION CAL. NO.

The following papers, numbered 1 to _____ were read on this motion to/for _____

PAPERS NUMBERED

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...

Answering Affidavits — Exhibits _____

Replying Affidavits _____

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion *is granted - See Annexes*

Order of Judgment

FILED

AUG 20 2010

COUNTY CLERK'S OFFICE
NEW YORK

RECEIVED

JUL 28 2010

MOTION SUPPORT OFFICE
NYS SUPREME COURT - CIVIL

Dated: 7/28/10

[Signature]

J.S.C.

Check one: FINAL DISPOSITION

NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

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