

EA  
9/22/16  
E

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

PRESENT: STALLMAN  
Justice

PART 21

PROFESSIONAL LIABILITY INSURANCE  
COMPANY OF AMERICA

INDEX NO. 400986/10

MOTION DATE \_\_\_\_\_

RE:

MOTION SEQ. NO. 19

The following papers, numbered 1 to 4, were read on this motion to/for  
Notice of Motion/Order to Show Cause — Affidavits — Exhibits + 3 affidavits of O'Brien No(s). 1, 2-4  
~~Answering Affidavits~~ — Exhibits (No opposition) No(s). ~~\_\_\_\_\_~~  
Replying Affidavits \_\_\_\_\_ No(s). \_\_\_\_\_

Upon the foregoing papers, it is ordered that this motion is granted. The insurance coverage  
Association Policy recent payment is approved as  
per the ~~original~~ long-form order signed today and filed  
herewith.

Order signed

RECEIVED  
SEP 26 2016  
NYS SUPREME COURT - CIVIL  
GENERAL CLERK'S OFFICE

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

FILED  
MICHAEL D. STALLMAN  
SEP 26 2016  
COUNTY CLERK'S OFFICE  
NEW YORK

Dated: 9/22/16

[Signature], J.S.C.

- 1. CHECK ONE: .....  CASE DISPOSED  NON-FINAL DISPOSITION
- 2. CHECK AS APPROPRIATE: Liquidated Bureau MOTION IS:  GRANTED  DENIED  GRANTED IN PART  OTHER
- 3. CHECK IF APPROPRIATE: .....  SETTLE ORDER  SUBMIT ORDER
- DO NOT POST  FIDUCIARY APPOINTMENT  REFERENCE

*At an IAS Part 21 of the Supreme Court of the State of New York, held in and for the County of New York on the 22<sup>nd</sup> day of September, 2016*

PRESENT:

HON. MICHAEL D. STALLMAN, J.S.C.

-----X

In the Matter of

Index No.: 400986/10

the Liquidation of

**ORDER**

**FILED**

PROFESSIONAL LIABILITY  
INSURANCE COMPANY OF AMERICA.

SEP 26 2016

COUNTY CLERK'S OFFICE  
NEW YORK

-----X

Maria T. Vullo, Superintendent of Financial Services of the State of New York as liquidator (the "Liquidator") of Professional Liability Insurance Company of America ("PLICA"), moved this Court for an order: (i) approving the form of the Insurance Guaranty Association Early Access, Disbursement, Reimbursement and Refunding Agreement for Professional Liability Insurance Company of America, attached as Exhibit A to the Hong Affirmation, as defined below (the "Early Access Agreement"); (ii) authorizing the Liquidator to execute the Early Access Agreement; (iii) for the Liquidator to become bound by its terms with the Illinois Insurance Guaranty Fund (the "Illinois Fund"), if the Illinois Fund agrees with and executes the Early Access Agreement, and to also become bound by its terms with the Missouri Property & Casualty Insurance Guaranty Association (the "Missouri GA") if the Missouri GA also agrees with and executes the Early Access Agreement; and (iv) authorizing the Liquidator to

make disbursements to the Guaranty Associations in accordance with the Early Access Agreement.

NOW, upon reading the affirmation, dated June 14, 2016 of Eric S. Hong, an attorney for the New York Liquidation Bureau, the organization which carries out the duties of the Liquidator (the "Hong Affirmation"), and proof of service thereof upon all interested parties having been made, after due deliberation;

NOW, on application of the Liquidator, it is

ORDERED, that the application is granted; and it is further

ORDERED, that the form of the Early Access Agreement is approved; and it is further

ORDERED, that the Liquidator may execute and become bound by the terms of the Early Access Agreement with the Illinois Fund and/or the Missouri GA, provided that either or both of these entities agree to and execute the Early Access Agreement; and it is further

ORDERED, that the Liquidator is authorized to make disbursements to the Illinois Fund and/or the Missouri GA, as the case may be, in accordance with an agreed-upon and executed Early Access Agreement.

**FILED**

SEP 26 2016

COUNTY CLERK'S OFFICE  
NEW YORK

ENTER:



JSC 9/22/16