

At IAS Part 37 of the Supreme Court of the State of New York, County of New York, at the Courthouse at 60 Centre Street, in the County, City and State of New York, on the 23 day of June, 2023.

P R E S E N T:

HON. ARTHUR F. ENGORON, J.S.C.  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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In the Matter of

Index No.: 452250/2020

the Ancillary Receivership of

ORDER TO SHOW CAUSE

AMERICAN COUNTRY INSURANCE COMPANY  
-----X

*MS # 2 - OTHER -  
APPROVE PROCEDURE  
FOR JUDICIAL REVIEW*

Based on the June 21, 2023, affirmation of Holly Sutton ("Affirmation") in support of the application of Adrienne A. Harris, Superintendent of the Department of Financial Services of the State of New York, as ancillary receiver ("Ancillary Receiver") of American Country Insurance Company ("ACIC") and administrator ("Administrator") of the New York Property/Casualty Insurance Security Fund and the New York Public Motor Vehicle Liability Security Fund (together, the "Security Funds") for an order, substantially in the form of the order annexed as Exhibit A to the Affirmation, setting forth adjudication procedures in this ancillary receivership proceeding;

NOW, on motion of the Ancillary Receiver, and after due deliberation having been had thereon,

LET all policyholders, creditors and others interested in the affairs of ACIC or counsel appear and show cause before this Court at IAS Part 37, Courtroom 418 at the Courthouse located at 60 Centre Street, New York, New York, ~~via videoconference (Microsoft Teams)~~, on the 12

*IN-PERSON  
APPEARANCE*

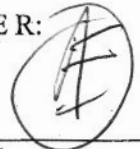
day of July, 2023 (the "Return Date") at 2:15 o'clock p.m., or as soon thereafter as counsel can be heard, why an order should not be made, pursuant to Article 74 of the New York Insurance Law, *inter alia*, (1) approving a procedure for judicial review of the Administrator's adjudication of claims under ACIC policies that are presented for payment from the Security Funds in this proceeding; (2) appointing a referee to hear and take evidence on issues raised by claimants' objections to the Administrator's determinations, and to report thereon to this Court, which thereafter, on motion, may confirm or deny any decision issued by the court-appointed referee; and (3) granting such other and further relief as may be just and proper.

AND, sufficient cause having been alleged therefor, and after due deliberation, it is hereby ORDERED, that notice of the Ancillary Receiver's application for adjudication procedure shall be made by posting this Order to Show Cause and the papers in support of the application on the Internet web page maintained by the New York Liquidation Bureau at <http://www.nylb.org> at least fifteen (15) days before the Return Date; and it is further

ORDERED, that the form and method of service of notice specified herein are hereby approved and shall constitute due and sufficient notice to all persons and entities entitled to receive such notice; and it is further

ORDERED, that answering papers, either in support of or in opposition to the relief sought herein ("Answering Papers"), shall be served on the Ancillary Receiver via email to [legal@NYLB.org](mailto:legal@NYLB.org) so as to be received at least ~~seven~~ <sup>three, 3</sup> (7) days prior to the Return Date, and any Answering Papers, together with an affidavit of service, shall be e-filed with the Court on the New York State Courts Electronic Filing System on or before the Return Date.

**JUN 23 2023**

ENTER: 

**HON. ARTHUR F. ENGORON J.S.C.**