

EX PARTE MOTION OFFICE

APPROVED  
FOR THE PAYMENT  
OF MOTION FEE  
ONLY

At IAS Part 42 of the Supreme Court  
of the State of New York, County of  
New York, at the Courthouse,  
111 Centre Street, in the County,  
City and State of New York, on the  
day of August, 2015.

**FILED**  
AUG 07 2015  
NEW YORK  
COUNTY CLERK'S OFFICE

P R E S E N T:

HON. NANCY M. BANNON, J.S.C.

In the Matter of

the Liquidation of

EVEREADY INSURANCE COMPANY.

Index No.: 160307/2014

ORDER TO SHOW CAUSE

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Based on the verified petition ("Verified Petition") of Mary Jo Marchisello, Assistant Special Deputy Superintendent and Agent of Anthony J. Albanese, Acting Superintendent of Financial Services of the State of New York as liquidator ("Liquidator") of Eveready Insurance Company ("Eveready"), duly verified the 6<sup>th</sup> day of August, 2015, and exhibits attached thereto, upon all other papers previously submitted and all proceedings heretofore had herein, and it appearing that the relief sought should be granted;

NOW, on motion of John Pearson Kelly, attorney for the Liquidator, and after due deliberation having been had thereon,

LET all policyholder, creditors and others interested in the affairs of Eveready show cause before this Court at IAS Part 42, Room 1127B thereof, at the Courthouse located at 111 Centre Street, New York, New York, on the 16<sup>th</sup> day of Sept, 2015 ("Return Date") at 11<sup>30</sup> o'clock a m., or as soon thereafter as counsel can be heard, why an order should not be

OR counsel appear and show

**N O F F E E**

made, pursuant to Article 74 of the New York Insurance Law, *inter alia*, (i) approving a procedure for judicial review of the Liquidator's adjudication and classification of claims filed in this proceeding; (ii) appointing a referee to hear and take evidence on issues raised by the Liquidator's determinations and claimants' objections, and to report thereon; and (iii) granting such other and further relief as this Court may deem just and proper under the circumstances.

AND, sufficient cause having been alleged therefor, 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 as Exhibit 1 to the Verified Petition and service of such notice shall be made by: (i) posting 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 (ii) publication in the New York Daily News, or a newspaper of similar circulation, such publication to occur once per week for two consecutive weeks, commencing within the thirty (30) days following entry of this Order to Show Cause; and it is further

ORDERED, that the form and methods 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 the approved form of notice shall direct that all answering papers and supporting documentation ("Answering Papers") be filed with this Court and served on the Liquidator at the following address:

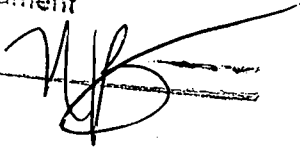
Superintendent of Financial Services of the State of New York  
as Liquidator of Eveready Insurance Company  
110 William Street  
New York, New York 10038  
Attention: General Counsel

at least seven days before the Return Date.

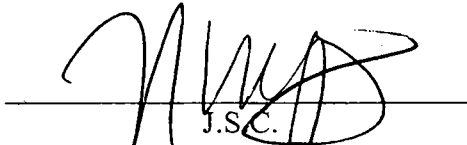
ENTER:

Order of Management  
Directed

JSC



**HON. NANCY M. BANNON**



J.S.C.

**HON. NANCY M. BANNON**