

EX PARTE  
APPROVED  
FOR THE PAYMENT  
OF MOTION FEE  
ONLY

At IAS Part 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 21<sup>st</sup> day of October, 2014.

PRESENT:

HON.

ALICE SCHLESINGER

FILED  
OCT 20 2014  
NEW YORK  
COUNTY CLERKS OFFICE

M.S. #2  
ART 74

In the Matter of

the Conservation of the Trust Fund of

FOLKSAM INTERNATIONAL INSURANCE  
COMPANY (U.K.) LIMITED.

Index No.: 404261/04

**ORDER TO SHOW CAUSE**

Based on the affirmation ("Affirmation") of Jack A. Franceschetti, an attorney associated with John Pearson Kelly, Esq., Attorney for Benjamin M. Lawskey, Superintendent of Financial Services of the State of New York as conservator ("Conservator") of a certain trust fund ("Trust Fund") of Folksam International Insurance Company (U.K.) Limited ("Folksam"), dated October 20, 2014 and exhibits attached thereto, and upon all other papers previously submitted and all proceedings heretofore had herein, and it appearing that the relief sought should be granted;

NOW, on application of the Conservator, and after due deliberation having been had thereon,

LET all claimants and all other parties interested in the affairs of Folksam show cause before this Court at IAS Part 16, Room 202 thereof, at the Courthouse located at 60 Centre Street in the County, City and State of New York, on the 10<sup>th</sup> day of December 2014 ("Return Date") at 9:30 o'clock a.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 ("Insurance Law"), *inter alia*: (a) approving the conservation agreement (the "Conservation Agreement") fully executed

~~NOT FILE~~

on October 8, 2014, between Dan Yoram Schwarzmann and Douglas Nigel Rackham in their capacity as scheme administrators of Folksam (the "Scheme Administrators"), Folksam and the Conservator; (b) authorizing the Conservator to distribute the funds held in the Trust Fund to the Scheme Administrators, for the benefit of Folksam, in accordance with the terms of the Conservation Agreement; (c) terminating this conservation proceeding upon distribution of the Trust Fund to the Scheme Administrators without further order of this Court; (d) discharging and releasing the Conservator, his predecessors and successors in office, his agents, attorneys and employees from any and all further liability arising from his proceeding upon distribution of the Trust Fund to the Scheme Administrators in accordance with the terms of the Conservation Agreement; (e) authorizing and directing the Conservator, in his discretion, to destroy or otherwise dispose of any and all of the books, files, records and other property of Folksam in his possession without further order of this Court; and (f) providing for such other and further relief as this Court deems just and proper.

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 service of a copy of this Order to Show Cause and the papers upon which it is granted, shall be made by first class mail to: (i) Francisco Vazquez, Esq., the authorized agent of Folksam for service of process in this conservation proceeding, at Chadbourne & Parke LLP at 30 Rockefeller Plaza, New York, NY 10112 and (ii) Dan Yoram Schwarzmann of PricewaterhouseCoopers, 7 More London Riverside, London, SE1 2RT, on or before the 31<sup>st</sup> day of October, 2014; and it is further

ORDERED, that notice of the Affirmation and this Order to Show Cause shall be substantially in the form attached hereto and service shall be made by: (i) publication in *New York Times*, or a publication of similar circulation; and (ii) posting on the Internet web page

maintained by New York Liquidation Bureau at <http://www.nylb.org>; all commencing within 30 days following the issuance of this Order to Show Cause; and it is hereby

ORDERED, that the form and methods of service specified herein are hereby approved as in accordance with the law and as the best notice practicable and shall therefore constitute due and sufficient notice of this Order to Show Cause and scheduled Return Date herein and the Affirmation and the relief sought therein 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 served on the Conservator so as to be received at least seven (7) business days prior to the Return Date, and that service on the Conservator shall be made by first class mail at the following address

Superintendent of Financial Services of the State of New York  
as Conservator of Folksam International Insurance Company  
(U.K.) Limited  
110 William Street  
New York, New York 10038  
Attention: General Counsel

and by submitting copies of the Answering Papers, with affidavit of service on the Conservator as above, to this Court at IAS Part 16 Room 222, at the Courthouse located at 60 Centre Street, in the County, City and State of New York, *and filed in Room 222 by December 1, 2014* ~~seven (7) business days before the Return Date~~; and it is further

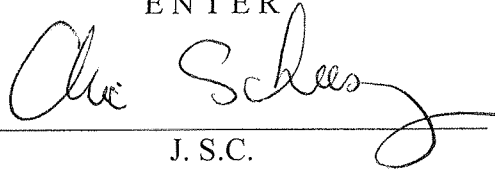
ORDERED, that in the absence of Answering Papers filed pursuant to the previous paragraph on or prior to the date specified, the Court may enter relief without hearing and no party shall be entitled to be heard thereon; and it is further

ORDERED, that any person or entity that fails to serve Answering Papers as provided herein shall be deemed to have waived any objections to the relief sought in the Affirmation and

shall be barred from raising objections in this or any other proceeding concerning the matters set forth herein; and it is further

ORDERED, that any person or entity that has served Answering Papers as provided herein shall be deemed to have waived any objections that are not set forth in the Answering Papers.

ENTER

A handwritten signature in cursive script that reads "Alice Schlesinger". The signature is written over a horizontal line.

J. S.C.

**ALICE SCHLESINGER**