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12/22/15  
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At IAS Part 8 of the Supreme Court of the State of New York, County of New York, at the courthouse at 71 Thomas Street in the County, City and State of New York, on the 18<sup>th</sup> day of Dec, 2015.

PRESENT:

HON. JOAN M. KENNEY, J.S.C.

RECEIVED  
DEC 22 2015  
GENERAL CLERK'S OFFICE  
NYS SUPREME COURT - CIVIL

FILED  
DEC 22 2015  
NEW YORK COUNTY CLERKS OFFICE  
ORDER

In the Matter of

the Ancillary Receivership of

Index No.: 402668/03

FREMONT INDEMNITY COMPANY.

-----x  
Upon the October 2, 2015, affirmation of Melissa A. Pisapia, an attorney with the New York Liquidation Bureau (the "NYLB"), the organization that carries out the duties of Anthony J. Albanese, Acting Superintendent of Financial Services of the State of New York in his capacity as ancillary receiver (the "Ancillary Receiver") of Fremont Indemnity Company ("Fremont"), and its attachments and upon all other papers previously submitted and all proceedings heretofore had herein;

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

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

ORDERED, that the Ancillary Receiver's report on the status of and request to close the Fremont ancillary receivership proceeding and the financial transactions delineated in such report are approved; and it is further

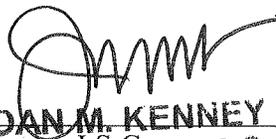
ORDERED, that the Ancillary Receiver is authorized to pay administrative expenses, including such expenses for the closing of the Fremont ancillary receivership proceeding; and it is further

ORDERED, that the Fremont ancillary receivership proceeding is terminated and closed; and it is further

ORDERED, that the Ancillary Receiver, and his successors in office and their agents and employees, are entitled to judicial immunity for any cause of action of any nature against them, individually or jointly, for any acts or omissions when acting in good faith, in accordance with the orders of this Court and/or in the performance of their duties pursuant to New York Insurance Law Article 74; and it is further

ORDERED, that the Ancillary Receiver, his predecessors and successors in office, and their agents, attorneys and employees, are released and discharged from any and all liability arising from their acts or omissions in connection with the Fremont ancillary receivership proceeding.

ENTER DEC 18 2015

  
JOAN M. KENNEY  
J.S.C. J.S.C.

DO NOT POST

**FILED**

DEC 22 2015

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

PRESENT: KENNY  
Justice

PART 8

SERIO GREGORY V.  
FREEMONT INDEMNITY

INDEX NO. 402668/03

-v-

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

FREEMONT INDEMNITY

MOTION SEQ. NO. 02

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

Notice of Motion/Order to Show Cause — Affidavits — Exhibits \_\_\_\_\_ | No(s). 1-5

Answering Affidavits — Exhibits submitted on default | No(s). n/a

Replying Affidavits \_\_\_\_\_ | No(s). \_\_\_\_\_

Upon the foregoing papers, it is ordered that this motion is

It is hereby  
ORDERED that the within application by Order to Show Cause, is granted, on default; and  
it is further  
ORDERED that movant submit a proposed order to Motion Support, Order Section located  
in Room 119A at 60 Centre Street, NYC 10007 NO LATER THAN December 31, 2015.

THIS CASE IS NOW FULLY REFERRED TO JUSTICE  
FOR THE FOLLOWING REASON(S):

**FILED**  
DEC 22 2015  
NEW YORK  
COUNTY CLERK'S OFFICE

Dated: 11/04/15

Joan M. Kenney, J.S.C.  
**JOAN M. KENNEY**  
J.S.C.

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

