

At IAS Part ¹¹ 15 of the Supreme Court of the State of New York, County of New York, at the Courthouse located at ⁸⁰ 60 Centre Street, New York, New York, on the ^{20th} day of September, 2023.

PRESENT:

Lyle & Frank

HON. ~~TA TANISHA D JAMES~~, J. S. C.

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In the Matter of

Index No.: 450500/16

the Liquidation of

ORDER TO SHOW CAUSE

MS #10

HEALTH REPUBLIC INSURANCE OF NEW YORK, CORP.

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Upon the September 15, 2023, affirmation of Holly Sutton ("Sutton Aff."), an attorney with the New York Liquidation Bureau ("NYLB"), which serves as the staff for Adrienne A. Harris, Superintendent of the Department of Financial Services of the State of New York, in her capacity as liquidator ("Liquidator") of Health Republic Insurance of New York, Corp. ("Health Republic"), for an order, *inter alia*, approving the Liquidator's report on the status of, and request to close, Health Republic's liquidation proceeding ("Closing Report"), and the financial transactions detailed therein, and upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of ~~Stephanie Blattmachr~~, attorney for the Liquidator, and after due deliberation having been had thereon;

LET all policyholders, creditors, claimants and others interested in the affairs of Health Republic or counsel appear and show cause before this Court at the Courthouse located at ⁸⁰ ^{Room 308} 60 Centre Street, at IAS Part ¹¹ 15 thereof, in the County, City and State of New York, via ~~videoconference (Microsoft Teams)~~, on the 2nd day of November, 2023.

at 9:30 o'clock a.m. ("Return Date"), or as soon thereafter as counsel can be heard, why an order substantially in the form of the proposed order attached as Exhibit 1 to the Sutton Aff. should not be made, pursuant to Article 74 of the New York Insurance Law ("Insurance Law"), *inter alia*, (i) approving the Closing Report and the financial transactions detailed therein, annexed as Exhibit 2 to the Sutton Aff.; (ii) authorizing the continued payment of actual and necessary administrative expenses incurred by the Liquidator in the administration of the Health Republic liquidation proceeding, including such expenses pertaining to the closing of the liquidation proceeding; (iii) authorizing the Liquidator to distribute Health Republic's assets, consistent with the priorities set forth in Insurance Law § 7434, to those former policyholders and creditors of Health Republic with allowed claims; (iv) terminating and closing the liquidation proceeding; (v) authorizing the Liquidator to receive and disburse, without further application to this Court, any receipts that are received after the termination of the liquidation proceeding; (vi) authorizing the Liquidator, after termination of the liquidation proceeding and without further order of this Court, to destroy or otherwise dispose of any and all of the books, files, records (paper or electronic) and other property of the Health Republic estate; (vii) releasing and discharging the Liquidator, her predecessors and successors in office, and their agents, attorneys and employees, from any and all liability arising from their acts or omissions in connection with the liquidation proceeding; and (viii) for such other and further relief that this Court deems just and proper;

AND, sufficient cause having been alleged therefor, and this Court having found the form and method of service of notice specified herein to be reasonable and appropriate under the circumstances, it is hereby

ORDERED, that service of this Order to Show Cause and its supporting papers shall be deemed good and proper service if served by posting the Order to Show Cause and its supporting papers on (i) the Health Republic Internet web page at <http://www.healthrepublicny.org/> and (ii) the NYLB Internet web page at <https://www.nylb.org/home.htm>, under Legal and Estate Notices, within five (5) days following the Liquidator's receipt of a signed copy of the Order to Show Cause; and it is further

ORDERED, that answering papers, either in support of or opposition to the relief sought herein ("Answering Papers"), shall be served on the Liquidator via email to legal@nylb.org so as to be received at least seven (7) days before the Return Date, and that any Answering Papers, together with an affidavit of service, shall be filed with the Court on the New York State Courts Electronic Filing system on or before the Return Date.

ENTER:



J.S.C.

HON. LYLE E. FRANK
J.S.C.