

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

PRESENT: HON. CAROL R. EDMEAD PART IAS MOTION 35EFM

Justice

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MARIA VULLO,

Plaintiff,

- v -

HEALTH REPUBLIC INSURANCE OF NEW YORK CORP.,

Defendant.

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INDEX NO. 450500/2016

MOTION DATE 02/09/2021

MOTION SEQ. NO. 007

**DECISION + ORDER ON
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 007) 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 174

were read on this motion to/for MISCELLANEOUS.

The Superintendent of Financial Services of the State of New York as liquidator (“Liquidator”) of Health Republic Insurance of New York, Corp. (“Health Republic”) having moved this Court for an order (1) approving a Stipulation For Entry of Final Judgment (“Stipulation”) between the Liquidator and the United States of America (the “United States”) Finally resolving the Liquidator’s claims against the United States in a lawsuit entitled, Linda A. Lacewell, in her capacity as Liquidator of Health Republic Insurance of New York, Corp. v. The United States of America, pending in the United States Court of Federal Claims(No. 17-1185 C); (2) allowing, as recommended by the Liquidator and as agreed in the Stipulation, the claim of the United States for a Solvency Loan made to Health Republic under the Patient Protection and Affordable Care Act as a Class Eight claim under Section 7434 of the New York Insurance Law (“Insurance Law”); (3) permitting, as contemplated by the Health Republic order of liquidation, entered May 11, 2016 (“Liquidation Order”), the submission of additional claims to the Liquidator other than Policy Claims, as defined in the Liquidation Order, for a period of four months from

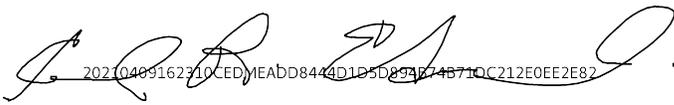
the date of entry of the order approving this application, and thereafter barring all further claims against Health Republic.

NOW, upon reading the affirmation of John Pearson Kelly, General Counsel of the New York Liquidation Bureau, and the supporting Affidavit of Ronald H. Labenski, CFO of the New York Liquidation Bureau, and after due deliberation, it is:

ORDERED, that the application to approve the Stipulation is granted and the Liquidator is authorized to enter into the Stipulation and take such actions as may be necessary to implement the terms of the Stipulation; and it is further

ORDERED, that the Liquidator's recommendation to allow the claim of the United States, as set forth in the Stipulation, is granted and the United States shall have an allowed Class Eight claim under Insurance Law Section 7434(a)(1) in the amount of \$246,975,417.52; and it is further

ORDERED, that additional claims other than Policy Claims, as defined in the Liquidation Order, may be submitted to the Liquidator for a period of four months from the date of entry of this Order, and thereafter all further claims against Health Republic are barred.



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<u>4/9/2021</u> DATE					<u>CAROL R. EDMED, J.S.C.</u>
CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION	
	<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	DENIED	<input type="checkbox"/>
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	GRANTED IN PART	<input type="checkbox"/>
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	SUBMIT ORDER	<input type="checkbox"/>
			<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/>
				REFERENCE	