

**IN THE MATTER OF THE REHABILITATION OF  
PROFESSIONAL LIABILITY INSURANCE COMPANY OF AMERICA**  
Supreme Court of the State of New York, County of New York  
Index No. 400986/2010

**NOTICE**

Benjamin M. Lawskey, Superintendent of Financial Services of the State of New York ("Superintendent") hereby gives notice that he has applied to the Court by order to show cause ("Order to Show Cause") for an order: (1) converting the extant rehabilitation proceeding ("Rehabilitation") pertaining to Professional Liability Insurance Company of America ("PLICA") to a liquidation proceeding; (2) appointing the Superintendent and his successors in office as liquidator of PLICA ("Liquidator"); (3) vesting title to all of PLICA's property, contracts and rights of action with the Liquidator; (4) making a declaration that PLICA is insolvent pursuant to Insurance Law § 7432(a); (5) continuing and granting the injunctions provided for by this Court's order, dated April 28, 2010 and entered April 30, 2010, ("Rehabilitation Order"); (6) granting injunctions, in addition to the aforementioned injunctions previously granted in the Rehabilitation Order, permanently enjoining and restraining all parties from commencing or prosecuting any actions or proceedings, or efforts to collect on debts or judgments, against PLICA, the Liquidator or the New York Liquidation Bureau ("NYLB"), the Liquidator's or the NYLB's present or former employees, attorneys, or agents with respect to this proceeding or the discharge of their duties under Insurance Law Article 74; (7) staying further proceedings in any pending claims adjudication proceedings that were, or could have been, brought pursuant to this Court's Order Approving the Procedure for the Rehabilitator's Adjudication of Claims, filed August 17, 2011; (8) vesting all rights in PLICA's contracts and agreements, including all leases, tax agreements, insurance policies and employment contracts, however described, with the Liquidator, unless the Liquidator expressly terminates such contracts or agreements, in which case all liability under such contracts or agreements shall cease and be fixed as of the date of termination; (9) requiring that any bank, savings and loan association, other financial institution or any other entity or person, which has on deposit or in its possession, custody or control any of PLICA's funds, accounts or assets shall immediately, upon the Liquidator's request and direction: (a) turn over custody and control of such funds, accounts or assets to the Liquidator or his designees; (b) transfer title of such funds, accounts or assets to the Liquidator or his designees; (c) change the name of such accounts to the name of the Liquidator; (d) transfer funds from such bank, savings and loan association or other financial institution to a bank, savings and loan association or other financial institution designated by the Liquidator; and/or (e) take any other action necessary for the proper conduct of the liquidation proceeding; (10) requiring that all persons and entities having any property and/or information, including, but not limited to, insurance policies, claims files (electronic or paper), software programs and/or bank records owned by, belonging to or relating to PLICA shall preserve such property and/or information and immediately, upon the Liquidator's request and direction, assign, transfer, turn over and deliver such property and/or information to the Liquidator; (11) requiring that all persons and entities providing claims processing services, data processing services, electronic records retention services or other information technology services to PLICA shall maintain and preserve all information relating in any way to PLICA, wherever located, including, but not limited to, all documents, data, electronic files and records, computer equipment (e.g., servers and printers), software programs and software licenses owned by PLICA ("Information"), and are directed, upon the Liquidator's request, to promptly submit all such Information to the Liquidator or his designees for examination and copying; (12) authorizing, permitting and allowing the Liquidator to sell, assign or transfer any and all stocks, bonds, or other securities, and any real or other property of PLICA at market price or at the best price

obtainable at private sale, at such times and upon such terms and conditions as, in his discretion, he deems is in the best interest of the creditors of PLICA, and to take such steps as may be necessary to effect and carry out such sales, transfers and assignments; (13) authorizing the Liquidator to pay the actual and necessary administrative costs and expenses of PLICA out of the assets of PLICA; and (14) granting such other and further relief as the Court may deem just and proper.

The Order to Show Cause recognizes that the permanent injunctions provided for in the Rehabilitation Order remain in effect, including the injunctive provision enjoining and restraining all persons from commencing or prosecuting any actions, lawsuits, or proceedings against PLICA, the Rehabilitator, or the NYLB, its employees, attorneys or agents.

A submission date is scheduled on the Order to Show Cause at the Motion Submission Part on the 5th day of February, 2013 ("Return Date") at the courthouse located at 60 Centre Street, Room 130, in the County, City and State of New York.

If you wish to object to the petition, you must serve your objections and all supporting documentation ("Answering Papers") upon the Superintendent so as to be received by the Superintendent at least twenty-one (21) days prior to the Return Date, and by submitting copies of the Answering Papers, with affidavits of service on the Superintendent, to the Court, at the courthouse located at 60 Centre Street, Room 130, in the County, City and State of New York, twenty-one (21) days prior the Return Date. Service of Answering Papers on the Superintendent shall be made by hand delivery, overnight mail or first class mail at the following addresses:

Superintendent of Financial Services of the State of New York  
c/o Attorney General Eric T. Schneiderman  
Office of the Attorney General  
120 Broadway  
New York, NY 10271-0332  
Attn: David Holgado  
Assistant Attorney General

New York Liquidation Bureau  
110 William Street  
New York, NY 10038  
Attn.: General Counsel

This Notice, the Order to Show Cause and the papers upon which the Order to Show Cause has been granted is posted on the Internet web page maintained by the NYLB at <http://www.nylb.org>.

Requests for further information should be directed to the NYLB at 212-341-6560.

Dated: New York, New York  
November 28, 2012

Benjamin M. Lawsky  
Superintendent of Financial Services  
of the State of New York