

Jof MAR 25 2019
4 30 P M.
At
Velva L. Price, District Clerk

Cause No. D-1-GN-18-001285

THE TEXAS DEPARTMENT OF §
INSURANCE, §
Plaintiff §
v. §
ACCESS INSURANCE COMPANY §
Defendant §

IN THE DISTRICT COURT OF
TRAVIS COUNTY, TEXAS
261st JUDICIAL DISTRICT

ORDER GRANTING SPECIAL DEPUTY RECEIVER’S APPLICATION FOR APPROVAL OF CLAIM FILING DEADLINE, GUIDELINES FOR PROVIDING NOTICE, AND PROCEDURES FOR PROCESSING CLAIMS

On this date, the Court heard the *Application for Approval of Claim Filing Deadline, Guidelines for Providing Notice, and Procedures for Processing Claims* (the “Application”) filed by CANTILO & BENNETT, L.L.P., Special Deputy Receiver of Access Insurance Company (the “SDR” and “AIC” respectively). The Special Deputy Receiver appeared by and through its counsel.

Having considered the Application, the Court finds as follows:

1. The *Order of Reference to Master* (“Order of Reference”) provides that motions filed pursuant to TEX. INS. CODE § 443.015 are referred to the Special Master appointed in this proceeding;
 2. Notice of the Application was provided in accordance with TEX. INS. CODE §443.007 (d) and the *Order of Reference to Master*;
 3. No objections to the Application were filed;
 4. The Texas Property and Casualty Insurance Guaranty Association filed its acknowledgement and waiver;
 5. The Court has jurisdiction over the Application and the parties affected hereunder;
- and
6. The SDR’s Application should be granted as set forth below.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. The Application is GRANTED in all respects;
2. The notices and POC forms as described in the Application are APPROVED;
3. The Court finds that the provisions of the Application and Exhibits comply with the requirements of § 443.155 of the Code and due process;
4. September 13, 2019, is the claim filing deadline;
5. The SDR's proposed claim processing procedures are APPROVED,
6. The SDR's proposal to deem subrogation claims as duly filed claims against the estate is GRANTED;
7. The SDR's proposal to deem statutory deductible claims, consisting of claims arising from the application of deductibles or co-insurance payments under some guaranty association statutes, as duly filed claims against the estate is GRANTED. Any alleged claims for policyholder deductible or any other type of deductible claim are NOT deemed as timely filed;
8. The SDR is authorized to request that Guaranty Associations voluntarily post a link to the SDR's web site on their web sites;
9. Claimants who assert third-party claims against AIC policyholders and who file, or are deemed to have filed, a POC with the SDR shall be deemed to have released and waived any such claim up to the amount of the AIC policy limits under § 443.256(h) of the Code; and
10. This order constitutes a final judgment fully resolving all issues relating to the Application.

SIGNED: March 25, 2019.



JUDGE PRESIDING
TIM SULAR

APPROVED AS TO FORM AND SUBSTANCE AND ENTRY REQUESTED

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APPROVED AS TO FORM/ NO OPPOSITION

TEXAS PROPERTY AND CASUALTY
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By: /s/ Linda R. Meltzer
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ATTORNEY FOR TPCIGA

PROPER NOTICE GIVEN
ACKNOWLEDGMENT OF NOTICE AND WAIVER
OF OBJECTION PRESENTED

HEARING HELD

RECOMMENDED

SIGNED ON 18th DAY OF March 2019



TOM COLLINS, RECEIVERSHIP SPECIAL MASTER