

DEC - 6 2019

At 5:00 P.M.
Velva L. Price, District Clerk

CAUSE NO. D-1-GN-18-001285

THE TEXAS DEPARTMENT OF
INSURANCE,
Plaintiff,

v.

ACCESS INSURANCE COMPANY,
Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

261ST JUDICIAL DISTRICT

**ORDER GRANTING APPLICATION TO APPROVE
FIRST EARLY ACCESS DISTRIBUTION**

On this date, the Court heard the Application to Approve First Early Access Distribution filed by CANTILO & BENNETT, L.L.P., Special Deputy Receiver of Access Insurance Company (the “SDR” and “AIC” respectively).

Having considered the Application, the Court finds as follows:

1. The *Order of Reference to Master* entered on March 21, 2018 (“Order of Reference”) provides that motions filed pursuant to TEX. INS. CODE § 443.007 and § 443.303 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 § 443.303(e), and the Order of Reference;

3. The Affected Guaranty Associations have waived the thirty (30) days’ actual notice of the filing of the application required by TEX. INS. CODE § 443.303(e);

4. The Texas Property and Casualty Insurance Guaranty Association (“TPCIGA”) filed its acknowledgement and waiver;

5. No objections to the Application were filed;

6. The Court has jurisdiction over the Application and the parties affected hereunder;

and

7. The SDR's Application should be granted in all respects.

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

1. The Application is hereby GRANTED in all respects.

2. The Special Deputy Receiver shall distribute \$55,310,174 from the assets of the receivership estate to the Affected Associations in the amount described in Exhibit 2 to the Application as an early access distribution pursuant to TEX. INS. CODE § 443.303. The early access distribution to the Affected Associations shall be treated as advances against distributions to be made under TEX. INS. CODE § 443.302.

3. The SDR is authorized to reduce the amounts distributed in the first early access distribution to the Louisiana, Georgia, Arkansas, Nevada and Tennessee associations by the amounts held by or withdrawn by insurance regulators in their respective states and to be treated as advances against any distributions to be made to those states' insurance guaranty associations under TEX. INS. CODE § 443.303.

4. The early access distribution[s] shall be made within thirty (30) business days after the date the Order is entered by the Receivership Court, unless a timely motion for new trial has been filed, an appeal has been filed or an order staying the distribution has been entered and not yet expired.


5. Any Affected Association must return to the Special Deputy Receiver any amount of the early access distribution[s] if such amount is required to pay secured creditors and other claims as provided in TEX. INS. CODE § 443.303(g).

6. The Special Deputy Receiver is authorized to take any actions necessary to implement this Order.

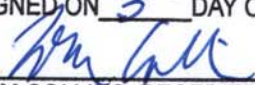
7. This first early access distribution will apply to the Class 1 and Class 2 claims of the Affected Associations under TEX. INS. CODE §443.301(a).

8. This Order constitutes a final ruling fully resolving all issues relating to the Application, provided that this Court shall retain jurisdiction to issue further orders pursuant to TEX. INS. CODE Chapter 443.

Signed on this 6th day of December, 2019.



JUDGE PRESIDING
TIM SULAK

PROPER NOTICE GIVEN
ACKNOWLEDGMENT OF NOTICE AND WAIVER
OF OBJECTION PRESENTED
SUBMITTED
RECOMMENDED
SIGNED ON 3rd DAY OF Dec. 2019


TOM COLLINS, RECEIVERSHIP SPECIAL MASTER