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ORIGINAL FILED
DEC - 3 2004
LOS ANGELES
SUPERIOR COURT

14 Attorneys for Applicant Insurance Commissioner
15 of the State of California, in his capacity as the
16 Liquidator of Fremont Indemnity Company

17 SUPERIOR COURT OF THE STATE OF CALIFORNIA
18 COUNTY OF LOS ANGELES - CENTRAL CIVIL WEST

19 INSURANCE COMMISSIONER OF THE
20 STATE OF CALIFORNIA,

CASE NO. BS083582

21 Applicant,

[Assigned for All Purposes to
the Honorable Wendell Mortimer, Jr.]

22 v.

23 FREMONT INDEMNITY COMPANY,

**[PROPOSED] ORDER APPROVING
LIQUIDATOR'S PROPOSAL TO
DISBURSE ASSETS TO STATE
INSURANCE GUARANTEE
ASSOCIATIONS OR FUNDS**

24 Respondent.

Date: December 3, 2004
Time: 9:00 a.m.
Dept.: 307
Judge: Hon. Wendell Mortimer, Jr.

25 The Verified Application for Order Approving Liquidator's Proposal to Disburse Assets
26 to State Insurance Guarantee Associations or Funds of the Insurance Commissioner of the State
27 of California, in his capacity as Liquidator of Fremont Indemnity Company ("Liquidator"), was
28 heard in Department 307 of the above-entitled court, on December 3, 2004, at 9:00 a.m., the
Honorable Wendell Mortimer, Jr., presiding. Having read and considered the Application, the

DOC SLA1:483169.2

1 Memorandum of Points and Authorities submitted in support thereof and, argument having been
2 heard and good cause appearing,

3 IT IS HEREBY ORDERED that:

- 4 1. The Application is granted;
- 5 2. The requirements of California Insurance Code § 1035.5 have been satisfied;
- 6 3. The Liquidator's proposed early access distribution plan to disburse assets to state
7 insurance guarantee associations or funds (collectively "IGAs") is approved;
- 8 4. The Liquidator is authorized to enter into the early access distribution agreement
9 with the IGAs in the form attached as Exhibit A to the Application;
- 10 5. The Liquidator is authorized to disburse \$53 million of the assets of Fremont
11 Indemnity Company in liquidation to the IGAs;
- 12 6. The Liquidator is authorized to make further pro rata early access distributions in
13 accordance with the early access distribution plan set forth in the Application, not earlier than
14 thirty (30) days after the filing and service of his Notice of Proposed Early Access Distribution;
15 and
- 16 7. The Liquidator is authorized to take any and all action necessary to accomplish
17 the purposes of this Order.

18
19
20 Dated: _____

DEC - 3 2004

WENDELL R. MORTIMER, JR.

Judge of the Superior Court