

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

THE TEXAS DEPARTMENT OF INSURANCE, <i>Plaintiff,</i>	§ § § § § § § §	IN THE DISTRICT COURT OF
v.		TRAVIS COUNTY, TEXAS
ACCESS INSURANCE COMPANY, <i>Defendant.</i>		261 <sup>ST</sup> JUDICIAL DISTRICT

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**ORDER GRANTING SPECIAL DEPUTY RECEIVER'S APPLICATION  
TO APPROVE THIRD EARLY ACCESS DISTRIBUTION**

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On this date, the Court heard the Application to Approve Third Early Access Distribution (the "Application") 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 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 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 GRANTED in all respects.

2. The SDR shall distribute \$15,234,286.07 from the assets of the receivership estate to the Affected Associations in the amounts described in Exhibit 2 to the Application as a third early access distribution pursuant to TEX. INS. CODE § 443.303. The third 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the amounts distributed in the third early access distribution to the Arkansas association by the amounts held or withdrawn by the insurance regulator in that state and to be treated as advances against any distribution to be made to that state's insurance guaranty association under TEX. INS. CODE § 443.303.

4. The third early access distribution 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 SDR any amount from all early access distributions if such amount is required to pay secured creditors and other claims as provided in TEX. INS. CODE § 443.303(g).


6. The SDR is authorized to take any actions necessary to implement this Order.

7. This third 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 may issue further orders pursuant to TEX. INS. CODE Chapter 443.303.

Signed on September 29, 2022.

  
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JUDGE PRESIDING

PROPER NOTICE GIVEN  
ACKNOWLEDGMENT OF NOTICE AND WAIVER  
OF OBJECTION PRESENTED  
SUBMITTED  
RECOMMENDED  
SIGNED ON 23<sup>rd</sup> DAY OF Sept. 2022  
  
\_\_\_\_\_  
TOM COLLINS, RECEIVERSHIP SPECIAL MASTER

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

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Associated Case Party: TEXAS DEPARTMENT OF INSURANCE

Name	BarNumber	Email	TimestampSubmitted	Status
Brian E. Riewe	16915600	brian.riewe@tdi.texas.gov	10/5/2022 3:02:47 PM	SENT

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