

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

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

**SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND  
SUMMARY STATEMENT OF EXPENSES  
(MARCH 1, 2023 THROUGH MAY 31, 2023)**

TO THE HONORABLE DISTRICT COURT:

CANTILO & BENNETT, L.L.P., solely in its capacity as the Special Deputy Receiver of Access Insurance Company (the “SDR” and “Access” respectively), files this Financial Report and Summary Statement of Expenses of the receivership estate for the period of March 1, 2023 to May 31, 2023. The attached report is filed pursuant to TEX. INS. CODE ANN., §§ 443.015(g) and 443.016(a) and the Court’s Order Granting the SDR’s Second Supplement to Application for Approval of Fees and Expenses, entered on May 28, 2020.

The Special Deputy Receiver has served this Quarterly Financial Report to all known parties at interest, as shown in the certificate of service.

Respectfully submitted,

FULLER LAW GROUP

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Special Deputy Receiver of Access Insurance Co.**

## CERTIFICATE OF SERVICE

I certify that on June 15, 2023, a true and correct copy of this SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (MARCH 1, 2023 TO MAY 31, 2023) was served pursuant to the Order of Reference, Texas Rules of Civil Procedure, TEX. INS. CODE ANN. SEC. 443.007(d) and the Court's order on electronic service on the following by email, except as specifically otherwise noted.

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*/s/Christopher Fuller*  
\_\_\_\_\_  
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**Access Insurance Co  
Statement of Expenses**

For Period Ending  
05/31/23

	Total March	Total Apr	Total May	Total Quarter
<b>SDR</b>				
Cantilo & Bennett, LLP				
Partner/Attorney/	27,197.50	7,138.00	9,417.00	43,752.50
Associate	5,360.00	2,272.00	7,632.00	15,264.00
Receivership Specialist/	39.00	39.00	4,628.00	4,706.00
Expenses	23.79	6.00	1,211.79	1,241.58
<b>Total SDR Billing</b>	<b>32,620.29</b>	<b>9,455.00</b>	<b>22,888.79</b>	<b>64,964.08</b>
<b>SDR Subcontractors - Legal</b>				
Fuller Law Group				
Attorney	9,568.00	2,210.00	4,498.00	16,276.00
Expenses	301.00	301.00	200.00	802.00
<b>Total Billing</b>	<b>9,869.00</b>	<b>2,511.00</b>	<b>4,698.00</b>	<b>17,078.00</b>
Inquest Resources				
Paralegal	1,832.00	408.00	1,600.00	3,840.00
Receivership Specialist	432.00	248.00	312.00	992.00
Litigation Assistant/Records Mgr	1,855.00	1,275.00	1,930.00	5,060.00
Expenses	93.04	67.00	73.25	233.29
<b>Total Billing</b>	<b>4,212.04</b>	<b>1,998.00</b>	<b>3,915.25</b>	<b>10,125.29</b>
<b>Total Legal Subcontractors</b>	<b>14,081.04</b>	<b>4,509.00</b>	<b>8,613.25</b>	<b>27,203.29</b>
<b>SDR Subcontractors - Other</b>				
Petrosewicz & Company, Inc				
Accountant-Principal/	969.00	646.00	570.00	2,185.00
Accountant	1,518.00	1,771.00	1,496.00	4,785.00
Accountant	132.00	0.00	0.00	132.00
Expenses	87.26	52.15	67.68	207.09
<b>Total Billing</b>	<b>2,706.26</b>	<b>2,469.15</b>	<b>2,133.68</b>	<b>7,309.09</b>
Abaci, Inc.				
Project Manager	100.00	0.00	0.00	100.00
Technical Analyst	304.00	1,596.00	1,016.50	2,916.50
Expenses	0.00	0.00	0.00	0.00
<b>Total Billing</b>	<b>404.00</b>	<b>1,596.00</b>	<b>1,016.50</b>	<b>3,016.50</b>
EMKAY Associates				
Claims Manager/	210.00	170.00	430.00	810.00
Claims Representative/	15,111.00	16,515.00	17,487.00	49,113.00
Claims Representative	6,912.00	2,169.00	5,544.00	14,625.00
Claims Representative	1,113.00	714.00	5,369.00	7,196.00
Expenses	0.00	0.00	195.19	195.19
<b>Total Billing</b>	<b>23,346.00</b>	<b>19,568.00</b>	<b>29,025.19</b>	<b>71,939.19</b>
Tharp and Associates-Reinsurance/Litigation Expert				
Reinsurance Consultant	12,993.75	6,862.50	9,900.00	29,756.25
IT/Data Base Admin	1,942.50	1,850.00	3,422.50	7,215.00
Expenses	0.00	0.00	0.00	0.00
<b>Total Billing</b>	<b>14,936.25</b>	<b>8,712.50</b>	<b>13,322.50</b>	<b>36,971.25</b>
<b>Total Other SDR Subcontractors</b>	<b>41,392.51</b>	<b>32,345.65</b>	<b>45,497.87</b>	<b>119,236.03</b>
<b>Receivership Service Providers</b>				
SafeSite	318.50	318.50	318.50	955.50
Answer National	347.99	354.32	0.00	702.31
docuLynx-Document Scanning & Indexing / DRS Imaging Services	1,020.87	1,020.08	1,019.55	3,060.50
Dove Mailing	0.00	337.20	1,171.90	1,509.10
Network 1 Consulting	3,420.00	4,338.75	3,420.00	11,178.75

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Access Insurance Co  
Statement of Expenses

For Period Ending  
05/31/23

	<b>Total March</b>	<b>Total Apr</b>	<b>Total May</b>	<b>Total Quarter</b>
Vertafore	734.53	757.78	806.58	2,298.89
Derek Massey-Travel Reimbursement for Mail Pick up	52.40	65.50	52.40	170.30
Operating Account Bank Fees-Frost	20.00	15.00	15.00	50.00
Texas Treasury Unrestricted Account - Management Fees	823.49	913.73	888.41	2,625.63
Texas Treasury Restricted Accounts - Management Fees	172.58	189.55	184.73	546.86
<b>Total Other</b>	<b>6,910.36</b>	<b>8,310.41</b>	<b>7,877.07</b>	<b>23,097.84</b>
<b>Sub-Total SDR, Subcontractor &amp; Provider Expenses</b>				
<b>Sub-Total SDR, Subcontractor &amp; Provider Expenses</b>	<b>95,004.20</b>	<b>54,620.06</b>	<b>84,876.98</b>	<b>234,501.24</b>
<b>Liquidation Oversight Allocation</b>				
RLO Allocation	7,474.92	5,890.77	2,960.22	16,325.91
Special Master's Fees	0.00	0.00	0.00	0.00
<b>Total RLO &amp; SM Expense</b>	<b>7,474.92</b>	<b>5,890.77</b>	<b>2,960.22</b>	<b>16,325.91</b>
<b>Total Expenses</b>	<b>102,479.12</b>	<b>60,510.83</b>	<b>87,837.20</b>	<b>250,827.15</b>

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**Access Insurance Co  
Statement of Net Assets**

**For the Period Ending  
5/31/2023**

Line		05/31/23
<b>Cash</b>		
1	Cash	
	Cash - Unrestricted	53,891,022
	APF Funds (Loan proceeds)	
<b>Investments</b>		
2	Short-Tem Investments	250,000
3	Bonds	
4	Stocks - Preferred & Common	
5	Investments in Subsidiaries, Controlled or Affiliated Entities	
6	Mortgage Loans	
7	Real Estate	
8	Policy Loans	
9	Other Invested Assets	
<b>Restricted Assets</b>		
10	Statutory Deposits	122,375
11	Funds held by or deposited with Reinsured Companies	
12	Restricted - Other	
	Funds Held in Trust for Others-Allianz & Partner Re	10,082,743
	Funds Held-Premium Collected on Cancelled Policies	271
<b>Reinsurance Receivable</b>		
13	Reinsurance Recoverables on Paid Losses & LAE (net of allowance)	
14	Reinsurance Recoverables on Unpaid Losses & LAE (net of allowance)	64,349,344
15	Reinsurance Recoverables on UEP & Contingent Commissions	
<b>Other Receivables</b>		
16	Salvage & Subrogation Recoveries	
17	Premiums Due from Agents & Policyholders	
18	Receivable from Parents, Subsidiaries & Affiliates	
19	Receivable from Guaranty Associations - Early Access Payments	134,403,678
20	Other Receivables	
	Income and Premium Tax Receivable	96,451
<b>Other Assets</b>		
21	FF&E	
22	Other Assets	
	<b>Total Assets</b>	<b>263,195,884</b>

**NOTES**

Ref No.

**Access Insurance Co**  
**Changes in Net Assets for the Quarter Ending**

05/31/23

Line		02/28/23	05/31/23	Change
<b>Cash</b>				
1	Cash			
	Cash - Unrestricted	53,167,129	53,891,022	723,893
	APF Funds (Loan proceeds)	0	0	0
<b>Investments</b>				
2	Short-Term Investments	250,000	250,000	0
3	Bonds	0	0	0
4	Stocks - Preferred & Common	0	0	0
5	Investments in Subsidiaries, Controlled or Affiliated Entities	0	0	0
6	Mortgage Loans	0	0	0
7	Real Estate	0	0	0
8	Policy Loans	0	0	0
9	Other Invested Assets	0	0	0
<b>Restricted Assets</b>				
10	Statutory Deposits	122,375	122,375	0
11	Funds held by or deposited with Reinsured Companies	0	0	0
12	Restricted - Other	0	0	0
	Collateral Assignment - Suntrust Bank Certificate of Deposit	0	0	0
	Funds Held in Trust for Others-Allianz & Partner Re	9,961,774	10,082,743	120,969
	Premiums Paid-Held for Others	271	271	0
<b>Reinsurance Receivable</b>				
13	Reinsurance Recoverables on Paid Losses & LAE (net of allowance)	0	0	0
14	Reinsurance Recoverables on Unpaid Losses & LAE (net of allowance)	64,940,135	64,349,344	(590,791)
15	Reinsurance Recoverables on UEP & Contingent Commissions	0	0	0
<b>Other Receivables</b>				
16	Salvage & Subrogation Recoveries	0	0	0
17	Premiums Due from Agents & Policyholders	0	0	0
18	Receivable from Parents, Subsidiaries & Affiliates	0	0	0
19	Receivable from Guaranty Associations - Early Access Payments	134,403,678	134,403,678	0
20	Other Receivables	0	0	0
	Income and Premium Tax Receivable	96,451	96,451	0
<b>Other Assets</b>				
21	FF&E	0	0	0
22	Other Assets	0	0	0
	<b>Total Assets</b>	<b>262,941,813</b>	<b>263,195,884</b>	<b>254,071</b>



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**Access Insurance Co  
Statement of Net Liabilities**

**For Period Ending  
05/31/23**

Line

05/31/23

1	Secured Claims	
2	APF Loan	
3	Special Deposit Claims	
<b>Administrative Claims - Class 1</b>		
4	Administrative Claims - State/Receiver	
	Special Deputy Receiver, Subcontractors Fees & Expenses	104,246
	Liquidation Oversight	2,960
	Special Master's Fees	
5	Administrative Claims - Guaranty Assns	
	Administrative Expense Paid	27,921,519
	Administrative Expense Reserves	
6	LAE - Guaranty Assns	
	LAE Paid	17,177,733
	LAE Reserves	776,149
<b>Policy Claims - Class 2</b>		
7	Loss Claims - Guaranty Assns	
	Loss Claims Paid	73,053,146
	Loss Claims Reserves	1,773,756
8	Loss Claims - Other	
	Other Loss Claims Paid	
	Other Loss Claims Reserves	155,320,771
9	LAE - Other	
10	Unearned & Advance Premium Claims - GA	18,615,884
11	Unearned & Advance Premium Claims - Other	2,883,400
<b>Other Liabilities</b>		
12	Class 3 Claims	
13	Class 4 Claims	
14	Class 5 General Unsecured Creditor Claims	33,598,724
15	Class 5 Reinsurance Related Unsecured Claims	
16	Class 6 Claims	57,284
17	Class 7 Claims	
18	Class 8 Claims	
19	Class 9 Claims	
20	Class 10 Interest	
21	Class 11 Claims	
22	Other Liabilities	
	Funds Held in Trust for Others-Allianz & Partner Re	10,082,743
	Funds Held-Premium Collected on Cancelled Policies	271
	Non Filed POCs for pre Receivership Liabilities	144,420,639
	<b>Total Liabilities</b>	485,789,225
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(222,593,341)
	<b>Total Liabilities &amp; Equity</b>	263,195,884

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**Access Insurance Co  
Statement of Net Liabilities**

**For Period Ending  
05/31/23**

**NOTES**

Ref. No.

Included in the Special Deputy Receiver, Subcontractors Fees & Expense line is \$36,193 of post receivership attorneys' fees and expenses incurred by pre-4 receivership defense counsel to enforce the automatic stay and provide notice of the receivership. The claims were submitted as part of the law firms' POCs and will be paid when the SDR makes the distribution in this estate.

Included in this amount are approved class 2 claims totaling \$30,248. The balance of the liability is based on the September 30, 2021 Merlinos & 8 Associates, Inc. "Loss and Loss Expense Report" with monthly adjustments for amounts obtained by the various state guaranty associations.

22 Non Filed POCs for Pre Receivership Liabilities	
Ceded Reinsurance Premium Payable	117,456,621
Provision for Reinsurance	10,955,670
Commissions Payable	9,889,444
Taxes, Licenses, Fees	4,627,439
Other Liabilities	664,019
Taxing Authorities	827,446
Totals	<u><u>144,420,639</u></u>

**Access Insurance Co**  
**Changes in Net Liabilities for the Quarter Ending**

05/31/23

Line		02/28/23	05/31/23	Change
1	Secured Claims	0	0	0
2	APF Loan	0	0	0
3	Special Deposit Claims	0	0	0
<b>Administrative Claims - Class 1</b>				
4	Administrative Claims - State/Receiver	0	0	0
	Special Deputy Receiver, Subcontractors Fees & Expenses	97,410	104,246	6,836
	Liquidation Oversight	7,200	2,960	(4,240)
	Special Master's Fees	108	0	(108)
5	Administrative Claims - Guaranty Assns	0	0	0
	Administrative Expense Paid	27,535,180	27,921,519	386,339
	Administrative Expense Reserves	0	0	0
6	LAE - Guaranty Assns	0	0	0
	LAE Paid	16,912,233	17,177,733	265,500
	LAE Reserves	1,035,282	776,149	(259,133)
<b>Policy Claims - Class 2</b>				
7	Loss Claims - Guaranty Assns	0	0	0
	Loss Claims Paid	72,771,292	73,053,146	281,854
	Loss Claims Reserves	2,188,418	1,773,756	(414,662)
8	Loss Claims - Other	0	0	0
	Other Loss Claims Paid	0	0	0
	Other Loss Claims Reserves	155,208,540	155,320,771	112,231
9	LAE - Other	0	0	0
10	Unearned & Advance Premium Claims - GA	18,795,570	18,615,884	(179,686)
11	Unearned & Advance Premium Claims - Other	2,703,714	2,883,400	179,686
<b>Other Liabilities</b>				
12	Class 3 Claims	0	0	0
13	Class 4 Claims	0	0	0
14	Class 5 General Unsecured Creditor Claims	33,259,036	33,598,724	339,688
15	Class 5 Reinsurance Related Unsecured Claims	0	0	0
16	Class 6 Claims	57,284	57,284	0
17	Class 7 Claims	0	0	0
18	Class 8 Claims	0	0	0
19	Class 9 Claims	0	0	0
20	Class 10 Interest	0	0	0
21	Class 11 Claims	0	0	0
22	Other Liabilities	0	0	0
	Funds Held in Trust for Others-Allianz & Partner Re	9,961,774	10,082,743	120,969
	Funds Held-Premium Collected on Cancelled Policies	271	271	0
	Non Filed POCs for pre Receivership Liabilities	144,420,639	144,420,639	0
	<b>Total Liabilities</b>	<b>484,953,951</b>	<b>485,789,225</b>	<b>835,274</b>
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(222,012,138)	(222,593,341)	(581,203)
	<b>Total Liabilities &amp; Equity</b>	<b>262,941,813</b>	<b>263,195,884</b>	<b>254,071</b>

**Access Insurance Co  
Sources & Uses of Cash**

**For Period Ending  
05/31/23**

	<b>Qtr Ending May-23</b>
<b>Income</b>	
Premium Receipts	0
Agents' Balances Received	0
Reinsurance Recoveries	324,952
Salvage & Subrogation Recoveries	3,428
Affiliates Recovery	0
Settlement/Litigation Recovery	0
Other Receipts	7,519
Sale of Real & Personal Property	0
Investment Sales/Receipts	0
Other Asset Receipts	0
<b>Total Receipts from Assets/Receivables</b>	<b>335,899</b>
Interest & Dividend Receipts, EA Interest	37
Cash Deposit Interest	648,093
<b>Total Cash Receipts</b>	<b>984,029</b>
<b>Disbursements</b>	
SDR Fees & Expenses	75,512
Subcontractor Legal Fees & Expenses	29,059
Subcontractor Other Fees & Expenses	112,339
Non-Subcontractor Fees & Expenses	0
Other Expenses	22,551
RLO Fees & Expenses	20,675
<b>Total Disbursements for Operations</b>	<b>260,136</b>
Loss Claims & LAE Expense Payments	0
Early Access Payments - GA Repayments	0
Refunds & Other Distributions	0
<b>Total Cash Distributions</b>	<b>0</b>
<b>Total Cash Disbursements &amp; Distributions</b>	<b>260,136</b>
<b>Net Increase(Decrease) in Cash</b>	<b>723,893</b>
<i>Cash at Beginning of Period</i>	53,167,129
<i>Cash at End of Period</i>	53,891,022

## Automated Certificate of eService

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Christopher Fuller on behalf of Christopher Fuller

Bar No. 07515500

cfuller@fullerlaw.org

Envelope ID: 76671346

Filing Code Description: No Fee Documents

Filing Description: SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (MARCH 1, 2023 THROUGH MAY 31, 2023)

Status as of 6/16/2023 11:35 AM CST

### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Brian Falligant		bfalligant@inquestresources.com	6/15/2023 3:42:37 PM	SENT
Special Masters Clerk Special Masters Clerk		specialmasterclerk@tdi.texas.gov	6/15/2023 3:42:37 PM	SENT
Christopher G. Fuller	7515500	cfuller@fullerlaw.org	6/15/2023 3:42:37 PM	SENT
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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	6/15/2023 3:42:37 PM	SENT