

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

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

**SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND
SUMMARY STATEMENT OF EXPENSES
(JUNE 1, 2023 THROUGH AUGUST 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 June 1, 2023 to August 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,

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Special Deputy Receiver of Access Insurance Co.**

CERTIFICATE OF SERVICE

I certify that on September 15, 2023, a true and correct copy of this SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (JUNE 1, 2023 TO AUGUST 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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**Access Insurance Co
Statement of Expenses**

**For Period Ending
08/31/23**

	Total Jun	Total Jul	Total Aug	Total Quarter
SDR				
Cantilo & Bennett, LLP				
Partner/Attorney/	9,073.00	9,116.00	8,342.00	26,531.00
Partner/Attorney Travel	0.00	0.00	32.25	32.25
Associate	8,096.00	7,472.00	5,728.00	21,296.00
Receivership Specialist/	923.00	208.00	39.00	1,170.00
Expenses	8.40	48.69	8.82	65.91
Total SDR Billing	18,100.40	16,844.69	14,150.07	49,095.16
SDR Subcontractors - Legal				
Fuller Law Group				
Attorney	5,252.00	3,978.00	3,926.00	13,156.00
Expenses	200.00	200.00	291.43	691.43
Total Billing	5,452.00	4,178.00	4,217.43	13,847.43
Inquest Resources				
Paralegal	672.00	608.00	1,624.00	2,904.00
Receivership Specialist	2,040.00	208.00	360.00	2,608.00
Litigation Assistant/Records Mgr	1,705.00	1,250.00	1,010.00	3,965.00
Expenses	58.13	55.02	40.18	153.33
Total Billing	4,475.13	2,121.02	3,034.18	9,630.33
Total Legal Subcontractors	9,927.13	6,299.02	7,251.61	23,477.76
SDR Subcontractors - Other				
Petrosewicz & Company, Inc				
Accountant-Principal/	494.00	456.00	589.00	1,539.00
Accountant	1,419.00	1,408.00	1,617.00	4,444.00
Expenses	46.28	61.12	61.19	168.59
Total Billing	1,959.28	1,925.12	2,267.19	6,151.59
Abaci, Inc.				
Technical Analyst	1,016.50	1,121.00	693.50	2,831.00
Expenses	0.00	0.00	0.00	0.00
Total Billing	1,016.50	1,121.00	693.50	2,831.00
EMKAY Associates				
Claims Manager/	450.00	330.00	110.00	890.00
Claims Representative/	13,536.00	11,916.00	16,272.00	41,724.00
Claims Representative	3,474.00	5,301.00	6,948.00	15,723.00
Claims Representative	2,604.00	3,423.00	6,258.00	12,285.00
Expenses	0.00	0.00	0.00	0.00
Total Billing	20,064.00	20,970.00	29,588.00	70,622.00
Tharp and Associates-Reinsurance/Litigation Expert				
Reinsurance Consultant	5,062.50	4,218.75	8,268.75	17,550.00
IT/Data Base Admin	2,220.00	0.00	2,312.50	4,532.50
Expenses	0.00	0.00	0.00	0.00
Total Billing	7,282.50	4,218.75	10,581.25	22,082.50
Total Other SDR Subcontractors	30,322.28	28,234.87	43,129.94	101,687.09

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**Access Insurance Co
Statement of Expenses**

**For Period Ending
08/31/23**

	Total Jun	Total Jul	Total Aug	Total Quarter
Receivership Service Providers				
SafeSite	318.50	338.00	338.00	994.50
Answer National	694.61	374.15	360.98	1,429.74
docuLynx-Document Scanning & Indexing / DRS Imaging Services	1,019.31	0.00	0.00	1,019.31
Dove Mailing	607.30	343.51	462.13	1,412.94
Network 1 Consulting	3,464.37	3,502.50	3,420.00	10,386.87
Vertafore	806.58	806.58	806.58	2,419.74
U.S. Postal Service	296.00	0.00	0.00	296.00
Derek Massey-Travel Reimbursement for Mail Pick up	52.40	65.50	39.30	157.20
Morgan Stanley Wire Fee	25.00	0.00	0.00	25.00
Operating Account Bank Fees-Frost	15.00	15.00	15.00	45.00
Texas Treasury Unrestricted Account - Management Fees	922.64	898.29	933.33	2,754.26
Texas Treasury Restricted Accounts - Management Fees	190.91	186.10	192.36	569.37
Total Other	8,412.62	6,529.63	6,567.68	21,509.93
Sub-Total SDR, Subcontractor & Provider Expenses				
Sub-Total SDR, Subcontractor & Provider Expenses	66,762.43	57,908.21	71,099.30	195,769.94
Liquidation Oversight Allocation				
RLO Allocation	7,050.71	5,622.17	5,213.74	17,886.62
Special Master's Fees	146.16	0.00	176.67	322.83
Total RLO & SM Expense	7,196.87	5,622.17	5,390.41	18,209.45
Total Expenses	73,959.30	63,530.38	76,489.71	213,979.39

**Access Insurance Co
Statement of Net Assets**

**For the Period Ending
8/31/2023**

Line	08/31/23
Cash	
1 Cash	
Cash - Unrestricted	54,638,051
APF Funds (Loan proceeds)	
Investments	
2 Short-Tem Investments	
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	
Restricted Assets	
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	10,214,185
Funds Held-Premium Collected on Cancelled Policies	271
Reinsurance Receivable	
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	
Other Receivables	
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
Other Assets	
21 FF&E	
22 Other Assets	
Total Assets	263,824,355

NOTES

Ref No.

Access Insurance Co
Changes in Net Assets for the Quarter Ending

08/31/23

Line		05/31/23	08/31/23	Change
Cash				
1	Cash			
	Cash - Unrestricted	53,891,022	54,638,051	747,029
	APF Funds (Loan proceeds)	0	0	0
Investments				
2	Short-Term Investments	250,000	0	(250,000)
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
Restricted Assets				
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	10,082,743	10,214,185	131,442
	Premiums Paid-Held for Others	271	271	0
Reinsurance Receivable				
13	Reinsurance Recoverables on Paid Losses & LAE (net of allowance)	0	0	0
14	Reinsurance Recoverables on Unpaid Losses & LAE (net of allowance)	64,349,344	64,349,344	0
15	Reinsurance Recoverables on UEP & Contingent Commissions	0	0	0
Other Receivables				
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
Other Assets				
21	FF&E	0	0	0
22	Other Assets	0	0	0
	Total Assets	263,195,884	263,824,355	628,471

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**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
08/31/23**

Line

08/31/23

Line		08/31/23
1	Secured Claims	
2	APF Loan	
3	Special Deposit Claims	
Administrative Claims - Class 1		
4	Administrative Claims - State/Receiver	
	Special Deputy Receiver, Subcontractors Fees & Expenses	93,324
	Liquidation Oversight	5,214
	Special Master's Fees	177
5	Administrative Claims - Guaranty Assns	
	Administrative Expense Paid	28,787,984
	Administrative Expense Reserves	
6	LAE - Guaranty Assns	
	LAE Paid	17,293,371
	LAE Reserves	688,254
Policy Claims - Class 2		
7	Loss Claims - Guaranty Assns	
	Loss Claims Paid	73,289,310
	Loss Claims Reserves	1,431,447
8	Loss Claims - Other	
	Other Loss Claims Paid	
	Other Loss Claims Reserves	155,719,679
9	LAE - Other	
10	Unearned & Advance Premium Claims - GA	18,551,672
11	Unearned & Advance Premium Claims - Other	2,947,613
Other Liabilities		
12	Class 3 Claims	
13	Class 4 Claims	
14	Class 5 General Unsecured Creditor Claims	33,780,900
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	10,214,185
	Funds Held-Premium Collected on Cancelled Policies	271
	Non Filed POCs for pre Receivership Liabilities	144,420,639
	Total Liabilities	487,281,324
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(223,456,969)
	Total Liabilities & Equity	263,824,355

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**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
08/31/23**

NOTES

Ref. No.

Included in the Special Deputy Receiver, Subcontractors Fees & Expense line is \$37,740 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
8 balance of the liability is based on the September 30, 2021 Merlinos & 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

08/31/23

Line		05/31/23	08/31/23	Change
1	Secured Claims	0	0	0
2	APF Loan	0	0	0
3	Special Deposit Claims	0	0	0
Administrative Claims - Class 1				
4	Administrative Claims - State/Receiver	0	0	0
	Special Deputy Receiver, Subcontractors Fees & Expenses	104,246	93,324	(10,922)
	Liquidation Oversight	2,960	5,214	2,254
	Special Master's Fees	0	177	177
5	Administrative Claims - Guaranty Assns	0	0	0
	Administrative Expense Paid	27,921,519	28,787,984	866,465
	Administrative Expense Reserves	0	0	0
6	LAE - Guaranty Assns	0	0	0
	LAE Paid	17,177,733	17,293,371	115,638
	LAE Reserves	776,149	688,254	(87,895)
Policy Claims - Class 2				
7	Loss Claims - Guaranty Assns	0	0	0
	Loss Claims Paid	73,053,146	73,289,310	236,164
	Loss Claims Reserves	1,773,756	1,431,447	(342,309)
8	Loss Claims - Other	0	0	0
	Other Loss Claims Paid	0	0	0
	Other Loss Claims Reserves	155,320,771	155,719,679	398,908
9	LAE - Other	0	0	0
10	Unearned & Advance Premium Claims - GA	18,615,884	18,551,672	(64,212)
11	Unearned & Advance Premium Claims - Other	2,883,400	2,947,613	64,213
Other Liabilities				
12	Class 3 Claims	0	0	0
13	Class 4 Claims	0	0	0
14	Class 5 General Unsecured Creditor Claims	33,598,724	33,780,900	182,176
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	10,082,743	10,214,185	131,442
	Funds Held-Premium Collected on Cancelled Policies	271	271	0
	Non Filed POCs for pre Receivership Liabilities	144,420,639	144,420,639	0
	Total Liabilities	485,789,225	487,281,324	1,492,099
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(222,593,341)	(223,456,969)	(863,628)
	Total Liabilities & Equity	263,195,884	263,824,355	628,471

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

**For Period Ending
08/31/23**

	Qtr Ending Aug-23
Income	
Premium Receipts	0
Agents' Balances Received	0
Reinsurance Recoveries	0
Salvage & Subrogation Recoveries	628
Affiliates Recovery	0
Settlement/Litigation Recovery	0
Other Receipts	10,078
Sale of Real & Personal Property	0
Investment Sales/Receipts	250,000
Other Asset Receipts	0
Total Receipts from Assets/Receivables	260,706
Interest & Dividend Receipts, EA Interest	3,227
Cash Deposit Interest	706,543
Total Cash Receipts	970,476
Disbursements	
SDR Fees & Expenses	57,834
Subcontractor Legal Fees & Expenses	24,839
Subcontractor Other Fees & Expenses	104,055
Non-Subcontractor Fees & Expenses	0
Other Expenses	20,940
RLO Fees & Expenses	15,779
Total Disbursements for Operations	223,447
Loss Claims & LAE Expense Payments	0
Early Access Payments - GA Repayments	0
Refunds & Other Distributions	0
Total Cash Distributions	0
Total Cash Disbursements & Distributions	223,447
Net Increase(Decrease) in Cash	747,029
Cash at Beginning of Period	53,891,022
Cash at End of Period	54,638,051

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Christopher Fuller on behalf of Christopher Fuller

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Status as of 9/18/2023 9:23 AM CST

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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	9/15/2023 2:55:39 PM	SENT