

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

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

**SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND**  
**SUMMARY STATEMENT OF EXPENSES**  
**(SEPTEMBER 1, 2023 THROUGH NOVEMBER 30, 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 September 1, 2023 to November 30, 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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**Attorney for CANTILO & BENNETT, LLP,  
Special Deputy Receiver of Access Insurance Co.**

## CERTIFICATE OF SERVICE

I certify that on December 15, 2023, a true and correct copy of this SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (SEPTEMBER 1, 2023 TO NOVEMBER 30, 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*  
Christopher Fuller

**Access Insurance Co  
Statement of Expenses**

For Period Ending  
11/30/23

	Total Sep	Total Oct	Total Nov	Total Quarter
<b>SDR</b>				
Cantilo & Bennett, LLP				
Partner/Attorney/	7,740.00	9,438.50	9,976.00	27,154.50
Partner/Attorney Travel	0.00	0.00	32.25	32.25
Associate	1,520.00	4,592.00	2,672.00	8,784.00
Receivership Specialist/	0.00	0.00	416.00	416.00
Expenses	11.79	55.34	21.92	89.05
<b>Total SDR Billing</b>	<b>9,271.79</b>	<b>14,085.84</b>	<b>13,118.17</b>	<b>36,475.80</b>
<b>SDR Subcontractors - Legal</b>				
Fuller Law Group				
Attorney	3,380.00	2,288.00	3,068.00	8,736.00
Expenses	200.00	200.00	200.00	600.00
<b>Total Billing</b>	<b>3,580.00</b>	<b>2,488.00</b>	<b>3,268.00</b>	<b>9,336.00</b>
Inquest Resources				
Paralegal	464.00	480.00	656.00	1,600.00
Receivership Specialist	384.00	480.00	376.00	1,240.00
Litigation Assistant/Records Mgr	1,355.00	1,425.00	925.00	3,705.00
Expenses	32.75	59.13	49.75	141.63
<b>Total Billing</b>	<b>2,235.75</b>	<b>2,444.13</b>	<b>2,006.75</b>	<b>6,686.63</b>
<b>Total Legal Subcontractors</b>	<b>5,815.75</b>	<b>4,932.13</b>	<b>5,274.75</b>	<b>16,022.63</b>
<b>SDR Subcontractors - Other</b>				
Petrosewicz & Company, Inc				
Accountant-Principal/	1,881.00	722.00	1,444.00	4,047.00
Accountant	2,519.00	1,375.00	1,243.00	5,137.00
Accountant	0.00	33.00	22.84	55.84
Expenses	68.33	91.43	0.00	159.76
<b>Total Billing</b>	<b>4,468.33</b>	<b>2,221.43</b>	<b>2,709.84</b>	<b>9,399.60</b>
Abaci, Inc.				
Technical Analyst	408.50	370.50	342.00	1,121.00
Expenses	0.00	0.00	0.00	0.00
<b>Total Billing</b>	<b>408.50</b>	<b>370.50</b>	<b>342.00</b>	<b>1,121.00</b>
EMKAY Associates				
Claims Manager/	450.00	260.00	160.00	870.00
Claims Representative/	15,156.00	16,353.00	3,240.00	34,749.00
Claims Representative	4,572.00	4,887.00	15,453.00	24,912.00
Claims Representative	3,850.00	3,304.00	2,947.00	10,101.00
Expenses	0.00	150.95	0.00	150.95
<b>Total Billing</b>	<b>24,028.00</b>	<b>24,954.95</b>	<b>21,800.00</b>	<b>70,782.95</b>
Tharp and Associates-Reinsurance/Litigation Expert				
Reinsurance Consultant	7,818.75	4,443.75	6,750.00	19,012.50
IT/Data Base Admin	2,035.00	878.75	2,035.00	4,948.75
Expenses	0.00	0.00	0.00	0.00
<b>Total Billing</b>	<b>9,853.75</b>	<b>5,322.50</b>	<b>8,785.00</b>	<b>23,961.25</b>
<b>Total Other SDR Subcontractors</b>	<b>38,758.58</b>	<b>32,869.38</b>	<b>33,636.84</b>	<b>105,264.80</b>
<b>Receivership Service Providers</b>				
SafeSite	338.00	338.00	338.00	1,014.00
Answer National	371.91	343.59	356.17	1,071.67

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**Access Insurance Co  
Statement of Expenses**

**For Period Ending  
11/30/23**

	<b>Total Sep</b>	<b>Total Oct</b>	<b>Total Nov</b>	<b>Total Quarter</b>
Dove Mailing	0.00	380.20	855.50	1,235.70
Network 1 Consulting	3,585.00	3,639.98	3,456.25	10,681.23
Vertafore	806.58	806.58	806.58	2,419.74
Derek Massey-Travel Reimbursement for Mail Pick up	52.40	52.40	52.40	157.20
Operating Account Bank Fees-Frost	15.00	35.00	15.00	65.00
Texas Treasury Unrestricted Account - Management Fees	936.47	907.15	939.78	2,783.40
Texas Treasury Restricted Accounts - Management Fees	193.12	187.82	194.18	575.12
<b>Total Other</b>	<b>6,298.48</b>	<b>6,690.72</b>	<b>7,013.86</b>	<b>20,003.06</b>
<b>Sub-Total SDR, Subcontractor &amp; Provider Expenses</b>				
<b>Sub-Total SDR, Subcontractor &amp; Provider Expenses</b>	<b>60,144.60</b>	<b>58,578.07</b>	<b>59,043.62</b>	<b>177,766.29</b>
<b>Liquidation Oversight Allocation</b>				
RLO Allocation	6,727.20	6,047.56	4,729.39	17,504.15
Special Master's Fees	129.23	5.00	74.55	208.78
<b>Total RLO &amp; SM Expense</b>	<b>6,856.43</b>	<b>6,052.56</b>	<b>4,803.94</b>	<b>17,712.93</b>
<b>Total Expenses</b>	<b>67,001.03</b>	<b>64,630.63</b>	<b>63,847.56</b>	<b>195,479.22</b>

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**Access Insurance Co  
Statement of Net Assets**

**For the Period Ending  
11/30/2023**

Line	11/30/23
<b>Cash</b>	
1 Cash	
Cash - Unrestricted	55,205,938
APF Funds (Loan proceeds)	
<b>Investments</b>	
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	
<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	10,350,456
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)	64,248,550
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>264,427,719</b>

**NOTES**

Ref No.

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

11/30/23

Line		08/31/23	11/30/23	Change
<b>Cash</b>				
1	Cash			
	Cash - Unrestricted	54,638,051	55,205,938	567,887
	APF Funds (Loan proceeds)	0	0	0
<b>Investments</b>				
2	Short-Term Investments	0	0	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	10,214,185	10,350,456	136,271
	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)	64,349,344	64,248,550	(100,794)
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
	Litigation Receivable			
<b>Other Assets</b>				
21	FF&E	0	0	0
22	Other Assets	0	0	0
<b>Total Assets</b>		<b>263,824,355</b>	<b>264,427,719</b>	<b>603,364</b>

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**Access Insurance Co  
Statement of Net Liabilities**

**For Period Ending  
11/30/23**

Line		11/30/23
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	80,823
	Liquidation Oversight	4,729
	Special Master's Fees	75
5	Administrative Claims - Guaranty Assns	
	Administrative Expense Paid	28,966,212
	Administrative Expense Reserves	
6	LAE - Guaranty Assns	
	LAE Paid	17,460,489
	LAE Reserves	549,151
<b>Policy Claims - Class 2</b>		
7	Loss Claims - Guaranty Assns	
	Loss Claims Paid	73,506,902
	Loss Claims Reserves	1,110,117
8	Loss Claims - Other	
	Other Loss Claims Paid	
	Other Loss Claims Reserves	153,918,650
9	LAE - Other	
10	Unearned & Advance Premium Claims - GA	18,540,389
11	Unearned & Advance Premium Claims - Other	2,958,896
<b>Other Liabilities</b>		
12	Class 3 Claims	
13	Class 4 Claims	
14	Class 5 General Unsecured Creditor Claims	35,849,724
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	10,350,456
	Funds Held-Premium Collected on Cancelled Policies	271
	Non Filed POCs for pre Receivership Liabilities	144,420,639
	<b>Total Liabilities</b>	487,774,807
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	<b>(223,347,088)</b>
	<b>Total Liabilities &amp; Equity</b>	264,427,719

**NOTES**

Ref. No.

**Access Insurance Co  
Statement of Net Liabilities**

**For Period Ending  
11/30/23**

Included in the Special Deputy Receiver, Subcontractors Fees & Expense line is \$37,740 of post receivership attorneys' fees and expenses incurred by pre-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 & 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**

11/30/23

Line		08/31/23	11/30/23	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	93,324	80,823	(12,501)
	Liquidation Oversight	5,214	4,729	(485)
	Special Master's Fees	177	75	(102)
5	Administrative Claims - Guaranty Assns	0	0	0
	Administrative Expense Paid	28,787,984	28,966,212	178,228
	Administrative Expense Reserves	0	0	0
6	LAE - Guaranty Assns	0	0	0
	LAE Paid	17,293,371	17,460,489	167,118
	LAE Reserves	688,254	549,151	(139,103)
<b>Policy Claims - Class 2</b>				
7	Loss Claims - Guaranty Assns	0	0	0
	Loss Claims Paid	73,289,310	73,506,902	217,592
	Loss Claims Reserves	1,431,447	1,110,117	(321,330)
8	Loss Claims - Other	0	0	0
	Other Loss Claims Paid	0	0	0
	Other Loss Claims Reserves	155,719,679	153,918,650	(1,801,029)
9	LAE - Other	0	0	0
10	Unearned & Advance Premium Claims - GA	18,551,672	18,540,389	(11,283)
11	Unearned & Advance Premium Claims - Other	2,947,613	2,958,896	11,283
<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	33,780,900	35,849,724	2,068,824
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	10,214,185	10,350,456	136,271
	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>	487,281,324	487,774,807	493,483
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(223,456,969)	(223,347,088)	109,881
	<b>Total Liabilities &amp; Equity</b>	263,824,355	264,427,719	603,364

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

**For Period Ending  
11/30/23**

	<b>Qtr Ending Nov-23</b>
<b>Income</b>	
Premium Receipts	0
Agents' Balances Received	0
Reinsurance Recoveries	40,435
Salvage & Subrogation Recoveries	351
Affiliates Recovery	0
Settlement/Litigation Recovery	0
Other Receipts	4,426
Sale of Real & Personal Property	0
Investment Sales/Receipts	0
Other Asset Receipts	0
<b>Total Receipts from Assets/Receivables</b>	<b>45,212</b>
Interest & Dividend Receipts, EA Interest	0
Cash Deposit Interest	730,667
<b>Total Cash Receipts</b>	<b>775,879</b>
<b>Disbursements</b>	
SDR Fees & Expenses	37,508
Subcontractor Legal Fees & Expenses	18,000
Subcontractor Other Fees & Expenses	114,758
Non-Subcontractor Fees & Expenses	0
Other Expenses	19,428
RLO Fees & Expenses	18,298
<b>Total Disbursements for Operations</b>	<b>207,992</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>207,992</b>
<b>Net Increase(Decrease) in Cash</b>	<b>567,887</b>
<b>Cash at Beginning of Period</b>	<b>54,638,051</b>
<b>Cash at End of Period</b>	<b>55,205,938</b>

### Automated Certificate of eService

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Christopher Fuller on behalf of Christopher Fuller

Bar No. 07515500

cfuller@fullerlaw.org

Envelope ID: 82615839

Filing Code Description: No Fee Documents

Filing Description: SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES

Status as of 12/16/2023 4:12 PM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Brian Falligant		bfalligant@inquestresources.com	12/15/2023 11:19:28 AM	SENT
Special Masters Clerk Special Masters Clerk		specialmasterclerk@tdi.texas.gov	12/15/2023 11:19:28 AM	SENT
Kimberly M. Hammer	24002219	kimberly.hammer@tdi.texas.gov	12/15/2023 11:19:28 AM	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	12/15/2023 11:19:28 AM	SENT