

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 ST JUDICIAL DISTRICT

**SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND
SUMMARY STATEMENT OF EXPENSES
(DECEMBER 1, 2023 THROUGH FEBRUARY 29, 2024)**

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 December 1, 2023 to February 29, 2024. 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 March 15, 2024, a true and correct copy of this SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (DECEMBER 1, 2023 TO FEBRUARY 29, 2024) 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
02/29/24**

	Total Dec	Total Jan	Total Feb	Total Quarter
SDR				
Cantilo & Bennett, LLP				
Partner/Attorney/	8,471.00	12,771.00	12,169.00	33,411.00
Partner/Attorney Travel	0.00	0.00	53.75	53.75
Associate	4,304.00	5,744.00	6,432.00	16,480.00
Receivership Specialist/	39.00	65.00	0.00	104.00
Expenses	48.43	109.43	57.51	215.37
Total SDR Billing	12,862.43	18,689.43	18,712.26	50,264.12
SDR Subcontractors - Legal				
Fuller Law Group				
Attorney	2,262.00	6,968.00	3,042.00	12,272.00
Expenses	150.00	167.00	167.00	484.00
Total Billing	2,412.00	7,135.00	3,209.00	12,756.00
Inquest Resources				
Paralegal	1,632.00	1,224.00	776.00	3,632.00
Receivership Specialist	256.00	672.00	312.00	1,240.00
Litigation Assistant/Records Mgr	1,530.00	1,200.00	1,220.00	3,950.00
Expenses	28.50	97.13	80.50	206.13
Total Billing	3,446.50	3,193.13	2,388.50	9,028.13
Total Legal Subcontractors	5,858.50	10,328.13	5,597.50	21,784.13
SDR Subcontractors - Other				
Petrosewicz & Company, Inc				
Accountant-Principal/	684.00	1,064.00	855.00	2,603.00
Accountant	1,144.00	1,925.00	1,507.00	4,576.00
Accountant	88.00	198.00	165.00	451.00
Expenses	65.42	86.39	56.08	207.89
Total Billing	1,981.42	3,273.39	2,583.08	7,837.89
Abaci, Inc.				
Technical Analyst	199.50	399.00	1,377.50	1,976.00
Expenses	0.00	0.00	0.00	0.00
Total Billing	199.50	399.00	1,377.50	1,976.00
EMKAY Associates				
Claims Manager/	230.00	450.00	640.00	1,320.00
Claims Representative/	15,480.00	16,101.00	16,704.00	48,285.00
Claims Representative	5,445.00	4,365.00	5,967.00	15,777.00
Claims Representative	2,870.00	2,590.00	5,362.00	10,822.00
Expenses	40.38	0.00	180.19	220.57
Total Billing	24,065.38	23,506.00	28,853.19	76,424.57
Tharp and Associates-Reinsurance/Litigation Expert				
Reinsurance Consultant	9,675.00	4,668.75	8,775.00	23,118.75
IT/Data Base Admin	3,746.25	740.00	1,757.50	6,243.75
Expenses	0.00	0.00	0.00	0.00
Total Billing	13,421.25	5,408.75	10,532.50	29,362.50
Total Other SDR Subcontractors	39,667.55	32,587.14	43,346.27	115,600.96

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Access Insurance Co
Statement of Expenses

For Period Ending
02/29/24

	Total Dec	Total Jan	Total Feb	Total Quarter
Receivership Service Providers				
IMA-Colorado SDR Bond	0.00	0.00	1,200.00	1,200.00
SafeSite	342.50	342.50	342.50	1,027.50
Answer National	360.83	355.09	361.88	1,077.80
Dove Mailing	383.49	538.72	0.00	922.21
CT Corporation	0.00	5,280.00	0.00	5,280.00
Network 1 Consulting	3,420.00	3,420.00	3,420.00	10,260.00
Vertafore	806.58	806.58	806.58	2,419.74
Derek Massey-Travel Reimbursement for Mail Pick up	52.40	104.80	0.00	157.20
Operating Account Bank Fees-Frost	15.00	15.00	15.00	45.00
Texas Treasury Unrestricted Account - Management Fees	913.17	947.50	952.35	2,813.02
Texas Treasury Restricted Accounts - Management Fees	189.32	195.44	184.94	569.70
Total Other	6,483.29	12,005.63	7,283.25	25,772.17
Sub-Total SDR, Subcontractor & Provider Expenses				
Sub-Total SDR, Subcontractor & Provider Expenses	64,871.77	73,610.33	74,939.28	213,421.38
Liquidation Oversight Allocation				
RLO Allocation	5,918.08	5,685.93	5,710.15	17,314.16
Special Master's Fees	138.87	5.45	68.33	212.65
Total RLO & SM Expense	6,056.95	5,691.38	5,778.48	17,526.81
Total Expenses	70,928.72	79,301.71	80,717.76	230,948.19

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**Access Insurance Co
Statement of Net Assets**

**For the Period Ending
2/29/2024**

Line		02/29/24
Cash		
1	Cash	
	Cash - Unrestricted	56,844,238
	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	10,304,018
	Funds Held-Premium Collected on Cancelled Policies	271
Reinsurance Receivable		
13	Reinsurance Recoverables on Paid Losses & LAE (net of allowance)	746,063
14	Reinsurance Recoverables on Unpaid Losses & LAE (net of allowance)	63,397,106
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	265,914,200

NOTES

Ref No.

Access Insurance Co
Changes in Net Assets for the Quarter Ending

02/29/24

Line		11/30/23	02/29/24	Change
Cash				
1	Cash			
	Cash - Unrestricted	55,205,938	56,844,238	1,638,300
	APF Funds (Loan proceeds)	0	0	0
Investments				
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
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	10,350,456	10,304,018	(46,438)
	Premiums Paid-Held for Others	271	271	0
Reinsurance Receivable				
13	Reinsurance Recoverables on Paid Losses & LAE (net of allowance)	0	746,063	746,063
14	Reinsurance Recoverables on Unpaid Losses & LAE (net of allowance)	64,248,550	63,397,106	(851,444)
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
	Litigation Receivable			
Other Assets				
21	FF&E	0	0	0
22	Other Assets	0	0	0
	Total Assets	264,427,719	265,914,200	1,486,481

**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
02/29/24**

Line		02/29/24
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	96,449
	Liquidation Oversight	5,710
	Special Master's Fees	68
5	Administrative Claims - Guaranty Assns	
	Administrative Expense Paid	29,099,386
	Administrative Expense Reserves	
6	LAE - Guaranty Assns	
	LAE Paid	17,522,791
	LAE Reserves	482,472
Policy Claims - Class 2		
7	Loss Claims - Guaranty Assns	
	Loss Claims Paid	73,606,637
	Loss Claims Reserves	976,307
8	Loss Claims - Other	
	Other Loss Claims Paid	
	Other Loss Claims Reserves	151,712,773
9	LAE - Other	
10	Unearned & Advance Premium Claims - GA	18,540,762
11	Unearned & Advance Premium Claims - Other	2,958,896
Other Liabilities		
12	Class 3 Claims	
13	Class 4 Claims	
14	Class 5 General Unsecured Creditor Claims	36,612,420
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	10,304,018
	Funds Held-Premium Collected on Cancelled Policies	271
	Non Filed POCs for pre Receivership Liabilities	144,420,639
	Total Liabilities	486,396,883
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(220,482,683)
	Total Liabilities & Equity	265,914,200

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**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
02/29/24**

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-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 \$143,567. 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>144,420,639</u>

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Access Insurance Co
Changes in Net Liabilities for the Quarter Ending

02/29/24

Line		11/30/23	02/29/24	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	80,823	96,449	15,626
	Liquidation Oversight	4,729	5,710	981
	Special Master's Fees	75	68	(7)
5	Administrative Claims - Guaranty Assns	0	0	0
	Administrative Expense Paid	28,966,212	29,099,386	133,174
	Administrative Expense Reserves	0	0	0
6	LAE - Guaranty Assns	0	0	0
	LAE Paid	17,460,489	17,522,791	62,302
	LAE Reserves	549,151	482,472	(66,679)
Policy Claims - Class 2				
7	Loss Claims - Guaranty Assns	0	0	0
	Loss Claims Paid	73,506,902	73,606,637	99,735
	Loss Claims Reserves	1,110,117	976,307	(133,810)
8	Loss Claims - Other	0	0	0
	Other Loss Claims Paid	0	0	0
	Other Loss Claims Reserves	153,918,650	151,712,773	(2,205,877)
9	LAE - Other	0	0	0
10	Unearned & Advance Premium Claims - GA	18,540,389	18,540,762	373
11	Unearned & Advance Premium Claims - Other	2,958,896	2,958,896	0
Other Liabilities				
12	Class 3 Claims	0	0	0
13	Class 4 Claims	0	0	0
14	Class 5 General Unsecured Creditor Claims	35,849,724	36,612,420	762,696
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	10,350,456	10,304,018	(46,438)
	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	487,774,807	486,396,883	(1,377,924)
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(223,347,088)	(220,482,683)	2,864,405
	Total Liabilities & Equity	264,427,719	265,914,200	1,486,481

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

**For Period Ending
02/29/24**

	Qtr Ending Feb-24
Income	
Premium Receipts	0
Agents' Balances Received	0
Reinsurance Recoveries	1,059,580
Salvage & Subrogation Recoveries	376
Affiliates Recovery	0
Settlement/Litigation Recovery	0
Other Receipts	50,341
Sale of Real & Personal Property	0
Investment Sales/Receipts	0
Other Asset Receipts	0
Total Receipts from Assets/Receivables	1,110,297
Interest & Dividend Receipts, EA Interest	0
Cash Deposit Interest	741,781
Total Cash Receipts	1,852,078
Disbursements	
SDR Fees & Expenses	44,669
Subcontractor Legal Fees & Expenses	21,462
Subcontractor Other Fees & Expenses	105,892
Non-Subcontractor Fees & Expenses	0
Other Expenses	25,203
RLO Fees & Expenses	16,552
Total Disbursements for Operations	213,778
Loss Claims & LAE Expense Payments	0
Early Access Payments - GA Repayments	0
Refunds & Other Distributions	0
Total Cash Distributions	0
Total Cash Disbursements & Distributions	213,778
Net Increase(Decrease) in Cash	1,638,300
Cash at Beginning of Period	55,205,938
Cash at End of Period	56,844,238

Automated Certificate of eService

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Christopher Fuller on behalf of Christopher Fuller

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Filing Description: SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (DECEMBER 1, 2023 THROUGH FEBRUARY 29, 2024)

Status as of 3/18/2024 7:32 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	3/15/2024 12:54:08 PM	SENT