

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 ST JUDICIAL DISTRICT

SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND
SUMMARY STATEMENT OF EXPENSES
(JUNE 1, 2024 THROUGH AUGUST 31, 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 June 1, 2024 to August 31, 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,

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Special Deputy Receiver of Access Insurance Co.**

CERTIFICATE OF SERVICE

I certify that on September 16, 2024, a true and correct copy of this SPECIAL DEPUTY RECEIVER'S QUARTERLY FINANCIAL REPORT AND SUMMARY STATEMENT OF EXPENSES (JUNE 1, 2024 TO AUGUST 31, 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
08/31/24**

	Total Jun	Total Jul	Total Aug	Total Quarter
SDR				
Cantilo & Bennett, LLP				
Partner/Attorney/	12,685.00	15,888.50	9,460.00	38,033.50
Partner/Attorney Travel	0.00	0.00	53.75	53.75
Associate	3,584.00	3,728.00	832.00	8,144.00
Receivership Specialist/	3,978.00	5,434.00	1,066.00	10,478.00
Expenses	9.60	30.39	10.35	50.34
Total SDR Billing	20,256.60	25,080.89	11,422.10	56,759.59
SDR Subcontractors - Legal				
Fuller Law Group				
Attorney	7,072.00	5,824.00	1,950.00	14,846.00
Expenses	167.00	167.00	167.00	501.00
Total Billing	7,239.00	5,991.00	2,117.00	15,347.00
Inquest Resources				
Paralegal	1,776.00	1,208.00	800.00	3,784.00
Receivership Specialist	696.00	344.00	176.00	1,216.00
Litigation Assistant/Records Mgr	2,345.00	2,075.00	1,595.00	6,015.00
Expenses	70.83	122.87	56.50	250.20
Total Billing	4,887.83	3,749.87	2,627.50	11,265.20
Total Legal Subcontractors	12,126.83	9,740.87	4,744.50	26,612.20
SDR Subcontractors - Other				
Petrosewicz & Company, Inc				
Accountant-Principal/	969.00	969.00	684.00	2,622.00
Accountant	1,815.00	1,276.00	1,617.00	4,708.00
Accountant	0.00	858.00	55.00	913.00
Expenses	112.30	42.39	24.94	179.63
Total Billing	2,896.30	3,145.39	2,380.94	8,422.63
Abaci, Inc.				
Technical Analyst	2,764.50	0.00	0.00	2,764.50
Expenses	0.00	0.00	0.00	0.00
Total Billing	2,764.50	0.00	0.00	2,764.50
EMKAY Associates				
Claims Manager/	4,690.00	3,140.00	120.00	7,950.00
Claims Representative/	8,226.00	5,274.00	2,763.00	16,263.00
Claims Representative	6,471.00	4,671.00	1,080.00	12,222.00
Claims Representative	7,931.00	5,754.00	1,358.00	15,043.00
Expenses	0.00	0.00	0.00	0.00
Total Billing	27,318.00	18,839.00	5,321.00	51,478.00
Tharp and Associates-Reinsurance/Litigation Expert				
Reinsurance Consultant	4,860.00	5,580.00	4,815.00	15,255.00
IT/Data Base Admin	18.50	1,628.00	703.00	2,349.50
Expenses	0.00	0.00	0.00	0.00
Total Billing	4,878.50	7,208.00	5,518.00	17,604.50
Merlinos & Associates				
Consulting Actuary	0.00	0.00	737.50	737.50
Expenses	0.00	0.00	0.00	0.00
Total Billing	0.00	0.00	737.50	737.50
Total Other SDR Subcontractors	37,857.30	29,192.39	13,957.44	81,007.13

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**Access Insurance Co
Statement of Expenses**

**For Period Ending
08/31/24**

	Total Jun	Total Jul	Total Aug	Total Quarter
Receivership Service Providers				
Friedman & Bartoumian-Fuchs Matter	0.00	1,782.19	0.00	1,782.19
US Postal Service Box fees 6 Months	0.00	0.00	305.00	305.00
SafeSite	344.00	344.00	415.20	1,103.20
Answer National	500.41	0.00	749.75	1,250.16
Network 1 Consulting	3,972.25	3,791.00	3,950.00	11,713.25
Vertafore	867.08	867.08	867.08	2,601.24
Derek Massey-Travel Reimbursement for Mail Pick up	65.50	52.40	52.40	170.30
Operating Account Bank Fees-Frost	15.00	15.00	15.00	45.00
Texas Treasury Unrestricted Account - Management Fees	995.25	968.94	972.99	2,937.18
Texas Treasury Restricted Accounts - Management Fees	186.52	181.59	188.10	556.21
Regions Bank - Statutory Deposit Custody Fees 2022 and 2023	0.00	2,400.00	0.00	2,400.00
Total Other	6,946.01	10,402.20	7,515.52	24,863.73
Sub-Total SDR, Subcontractor & Provider Expenses				
Sub-Total SDR, Subcontractor & Provider Expenses	77,186.74	74,416.35	37,639.56	189,242.65
Liquidation Oversight Allocation				
RLO Allocation	7,266.75	5,553.89	4,989.67	17,810.31
Special Master's Fees	345.00	121.67	73.33	540.00
Total RLO & SM Expense	7,611.75	5,675.56	5,063.00	18,350.31
Total Expenses	84,798.49	80,091.91	42,702.56	207,592.96

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**Access Insurance Co
Statement of Net Assets**

**For the Period Ending
8/31/2024**

Line		08/31/24
Cash		
1	Cash	
	Cash - Unrestricted	54,655,408
	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	10,584,641
	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)	34,371,334
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	138,750,532
20	Other Receivables	
	Income and Premium Tax Receivable	96,451
Other Assets		
21	FF&E	
22	Other Assets	
	Total Assets	238,581,012

NOTES

Ref No.

Access Insurance Co
Changes in Net Assets for the Quarter Ending

08/31/24

Line		05/31/24	08/31/24	Change
Cash				
1	Cash			
	Cash - Unrestricted	58,407,674	54,655,408	(3,752,266)
	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	10,443,232	10,584,641	141,409
	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)	34,525,869	34,371,334	(154,535)
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	138,750,532	4,346,854
20	Other Receivables	0	0	0
	Income and Premium Tax Receivable	96,451	96,451	0
		0	0	0
	Litigation Receivable	0	0	0
Other Assets				
21	FF&E	0	0	0
22	Other Assets	0	0	0
Total Assets				
		237,999,550	238,581,012	581,462

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**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
08/31/24**

Line

08/31/24

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	59,941
	Liquidation Oversight	4,990
	Special Master's Fees	73
5	Administrative Claims - Guaranty Assns	
	Administrative Expense Paid	29,567,639
	Administrative Expense Reserves	
6	LAE - Guaranty Assns	
	LAE Paid	17,673,162
	LAE Reserves	314,548
Policy Claims - Class 2		
7	Loss Claims - Guaranty Assns	
	Loss Claims Paid	73,833,774
	Loss Claims Reserves	603,425
8	Loss Claims - Other	
	Other Loss Claims Paid	
	Other Loss Claims Reserves	82,645,023
9	LAE - Other	
10	Unearned & Advance Premium Claims - GA	18,541,121
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	37,152,556
15	Class 5 Reinsurance Related Unsecured Claims	
16	Class 6 Claims	78,676
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	10,584,641
	Funds Held-Premium Collected on Cancelled Policies	271
	Non Filed POCs for pre Receivership Liabilities	144,420,639
	Total Liabilities	418,439,375
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(179,858,363)
	Total Liabilities & Equity	238,581,012

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**Access Insurance Co
Statement of Net Liabilities**

**For Period Ending
08/31/24**

NOTES

Ref. No.

Included in the Special Deputy Receiver, Subcontractors Fees & Expense line is \$38,765 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 \$177,249. The balance of the liability is based on the September 30, 2023 Davies Actuarial firm's (p/k/a Merlino & Associates, Inc.) "Loss and Loss Expense Report" dated May 21, 2024 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

08/31/24

Line		05/31/24	08/31/24	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	110,922	59,941	(50,981)
	Liquidation Oversight	6,971	4,990	(1,981)
	Special Master's Fees	12	73	61
5	Administrative Claims - Guaranty Assns	0	0	0
	Administrative Expense Paid	29,252,266	29,567,639	315,373
	Administrative Expense Reserves	0	0	0
6	LAE - Guaranty Assns	0	0	0
	LAE Paid	17,620,421	17,673,162	52,741
	LAE Reserves	343,997	314,548	(29,449)
Policy Claims - Class 2				
7	Loss Claims - Guaranty Assns	0	0	0
	Loss Claims Paid	73,791,464	73,833,774	42,310
	Loss Claims Reserves	630,754	603,425	(27,329)
8	Loss Claims - Other	0	0	0
	Other Loss Claims Paid	0	0	0
	Other Loss Claims Reserves	82,745,900	82,645,023	(100,877)
9	LAE - Other	0	0	0
10	Unearned & Advance Premium Claims - GA	18,541,068	18,541,121	53
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	37,082,023	37,152,556	70,533
15	Class 5 Reinsurance Related Unsecured Claims	0	0	0
16	Class 6 Claims	57,284	78,676	21,392
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	10,443,232	10,584,641	141,409
	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	418,006,120	418,439,375	433,255
23	Total Equity/(Deficit) Excess (Deficiency) of Assets over Liabilities	(180,006,570)	(179,858,363)	148,207
	Total Liabilities & Equity	237,999,550	238,581,012	581,462

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

**For Period Ending
08/31/24**

	Qtr Ending Aug-24
Income	
Premium Receipts	0
Agents' Balances Received	0
Reinsurance Recoveries	85,792
Salvage & Subrogation Recoveries	266
Affiliates Recovery	0
Settlement/Litigation Recovery	0
Other Receipts	3,615
Sale of Real & Personal Property	0
Investment Sales/Receipts	0
Other Asset Receipts	0
Total Receipts from Assets/Receivables	89,673
Interest & Dividend Receipts, EA Interest	0
Cash Deposit Interest	764,854
Total Cash Receipts	854,527
Disbursements	
SDR Fees & Expenses	67,550
Subcontractor Legal Fees & Expenses	29,865
Subcontractor Other Fees & Expenses	118,441
Non-Subcontractor Fees & Expenses	1,782
Other Expenses	22,029
RLO Fees & Expenses	20,271
Total Disbursements for Operations	259,938
Loss Claims & LAE Expense Payments	4,346,855
Early Access Payments - GA Repayments	0
Refunds & Other Distributions	0
Total Cash Distributions	4,346,855
Total Cash Disbursements & Distributions	4,606,793
Net Increase(Decrease) in Cash	(3,752,266)
<i>Cash at Beginning of Period</i>	58,407,674
<i>Cash at End of Period</i>	54,655,408

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(JUNE 1, 2024 THROUGH AUGUST 31, 2024)

Status as of 9/17/2024 8:46 AM CST

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Special Masters Clerk Special Masters Clerk		specialmasterclerk@tdi.texas.gov	9/16/2024 5:04:37 PM	SENT
Amber Walker	785581	awalker@tpciga.org	9/16/2024 5:04:37 PM	SENT
Melvin Burner	3425700	bburner@mwlaw.com	9/16/2024 5:04:37 PM	SENT
Anthony Icenogle	10382948	anthony@icenoglefirm.com	9/16/2024 5:04:37 PM	SENT
Patricia Muniz		pmuniz@inquestresources.com	9/16/2024 5:04:37 PM	SENT
David Broemel		dbroemel@bakerdonelson.com	9/16/2024 5:04:37 PM	SENT
Marvin Kelly		mkelly@tpciga.org	9/16/2024 5:04:37 PM	ERROR

Associated Case Party: TEXAS DEPARTMENT OF INSURANCE

Name	BarNumber	Email	TimestampSubmitted	Status
Zachary Rhines	24116957	zachary.rhines@oag.texas.gov	9/16/2024 5:04:37 PM	SENT