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SUPERIOR COURT OF N.J.
MERCER COUNTY
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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
GENERAL EQUITY PART-MERCER COUNTY
Docket No.: C-086-04

I/M/O the Rehabilitation
of MIIX Insurance Company

Civil Action

ORDER TO SHOW CAUSE
WITH IMMEDIATE RESTRAINTS

This matter having been opened to the Court by Anne Milgram, Attorney General of New Jersey, by Emerald Erickson Kuepper, Senior Deputy Attorney General, as attorney for plaintiff, Commissioner of the Department of Banking and Insurance of the State of New Jersey ("Commissioner"), on a Petition for Liquidation of MIIX, for an Order directing all persons having an interest in or claim against MIIX to appear and show cause why an Order should not be entered, pursuant to N.J.S.A. 17:30C-8 and 9, providing for the liquidation of MIIX, termination of the Order of Rehabilitation of MIIX entered on September 28, 2004, and imposing injunctive relief pursuant to N.J.S.A. 17:30C-5, and the Court having considered the letter brief, and the Certifications of Donald

Bryan, Director of the Division of Insurance, and Kenneth A. Watson, Deputy Rehabilitator, and good cause appearing,

IT IS on this 17th day of February, 2008;

ORDERED that:

(1) Any person having an interest in or claim against MIIX appear and show cause before the Honorable Neil H. Shuster, Presiding Judge, Chancery Division, Superior Court of New Jersey, 210 S. Broad Street, 5th Floor, P.O. Box 8068, Trenton, New Jersey 08650 on April 9, 2008 at 2 P.M. or as soon thereafter as counsel may be heard, why an Order should not be entered:

(a) Appointing the Commissioner as liquidator of MIIX with all the powers and authority expressed or implied by N.J.S.A. 17:30C-1, et seq.;

(b) Directing the Commissioner to liquidate MIIX;

(c) Terminating the Order of Rehabilitation of MIIX entered on September 28, 2004;

(d) Permanently enjoining all persons and entities from pursuing litigation against MIIX, or from interfering with the Commissioner's efforts to liquidate MIIX;

(e) Halting all further payment of claims by MIIX;

(f) Providing that all claims must be asserted against MIIX no later than one year from date of the Order of Liquidation, in the form established by the Commissioner, or such claims will be forever barred;

(g) Establishing procedures governing the payment of claims by MIIX;

(h) Granting the Commissioner such other injunctive and equitable relief as may be necessary to protect the policyholders and creditors of MIIX and the public, as the Court may deem just and proper; and

(2) Effective immediately on entry of this Order, and until further Order of this Court, MIIX is declared to be insolvent. This declaration is without prejudice, and shall not preclude any party who denies that MIIX is insolvent, from contesting the Commissioner's Petition for Liquidation or Declaration of Insolvency on the return date of this Order to Show Cause, or at a subsequent hearing.

(3) Effective immediately and pending the return date of this Order to Show Cause, all court actions, arbitrations and mediations currently or hereinafter pending in which MIIX is a party in the State of New Jersey or elsewhere, are hereby stayed; and

(4) A copy of this executed Order to Show Cause, the Petition for Liquidation, supporting certifications and Letter Brief shall be served within 5 days of the date hereof on all parties listed on the Petition for Liquidation, said service to be made by regular mail, or by personal service, either of which means of service shall be deemed sufficient service of process upon the parties; and

(5) Notice of this application to any other interested parties shall be accomplished by publishing a copy of this Order in a newspaper of general circulation in the county within which MIIX' corporate offices were previously located, specifically, The Newark

Star Ledger, and The Trenton Times, The Wall Street Journal, The New Jersey Lawyer, and The New Jersey Law Journal on or before FEBRUARY 25, 2008; and that such Notice shall constitute good and sufficient notice of this application to all persons having an interest in or claim against MIIX subject to the requirements of due process of law; and

(6) If any interested party intends to file answering affidavits or briefs or seek other relief in the present matter, such papers shall be filed with the Court and served upon Senior Deputy Attorney General Emerald Erickson Kuepper, attorney for the Commissioner, on or before MARCH 20, 2008; and the Commissioner may file reply papers on or before MARCH 31, 2008; and

(7) A copy of this Order to Show Cause and all supporting materials, filed herewith, shall be available for public inspection during regular business hours beginning 2 days after the date of this Order and until the return date of the Order to Show Cause at the following locations:

- (a) N.J. Department of Banking and Insurance
Office of Solvency Regulation, 8th Floor
20 West State Street
Trenton, NJ 08625-0325
- (b) Superior Court of New Jersey
Mercer County
210 South Broad Street, 5th Floor
Trenton, NJ 08650-0068

(8) The Commissioner's representative shall serve a copy of this Order by fax upon all Civil Presiding Judges and all Civil Case Managers upon receipt of an executed copy.

(9) The Commissioner shall provide the Court with a list of all cases pending in the Superior Court ~~instituted by this~~ Order within ten (10) days.