

NO. D-1-GN-06-002366

STATE OF TEXAS AND THE
TEXAS DEPARTMENT OF INSURANCE

v.

VESTA FIRE INSURANCE CORPORATION,
SHELBY CASUALTY INSURANCE
COMPANY, TEXAS SELECT LLOYDS
INSURANCE COMPANY, and SELECT
INSURANCE SERVICES, INC.§
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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

126TH JUDICIAL DISTRICT**ORDER APPROVING VERIFIED FINAL ACCOUNTING AND APPLICATION TO
TERMINATE RECEIVERSHIP AND DISCHARGE RECEIVER AND SPECIAL
DEPUTY RECEIVER AS TO SHELBY CASUALTY INSURANCE COMPANY ONLY**

On this date, the Court considered the *Verified Final Accounting and Application to Terminate Receivership and Discharge Receiver and Special Deputy Receiver as to Shelby Casualty Insurance Company Only* (Application) filed by Prime Tempus, Inc., Special Deputy Receiver (SDR) of Shelby Casualty Insurance Company (Shelby Casualty).

The Application requests an order under Texas Insurance Code §§ 443.153, 443.352, and 443.354, which terminates the receivership, discharges the Receiver and the SDR, approves certain asset transfers, dissolves the charter of Shelby Casualty, and other related relief. The Application was submitted to the Special Master appointed in this cause (Master) under the Supplemental Order of Reference to Master entered on November 8, 2006, which provides that motions filed under Texas Insurance Code §§ 443.258 and 443.352 are referred to the Master. The Master issued a report under Rule 171 of the Texas Rules of Civil Procedure, finding and recommending as follows:

1. Notice of the Application was provided under Texas Insurance Code § 443.007(d);
2. No objections to the Application were filed;
3. The Court has jurisdiction over the Application and the parties; and

4. The Application should be granted in all respects.


Having considered the pleadings, the evidence submitted, and the recommendation of the Master, the Court accepts the Master's report, and grants the Application.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED as follows:

1. The Application is granted in all respects;
2. The Court admits into evidence the Affidavit and Verification of Craig A. Koenig and Exhibits A-1 through A-5 to that Affidavit and Verification;
3. The transfer of unclaimed distributions to the Commissioner is approved.
4. The Commissioner may take reasonably necessary steps to complete the closing and termination in this application, including the transfer of any further assets belonging to Shelby Casualty collected by the Commissioner after termination to Vesta Fire Insurance Corporation, without the need for re-opening Shelby Casualty under § 443.253 of the Code;
5. The Commissioner or Vesta Fire Insurance Corporation may destroy the remaining records at the Commissioner's or Vesta Fire Insurance Corporation's discretion. Each Guaranty Association may destroy claims records of Shelby Casualty in its possession.
6. This order dissolves the corporate charter of Shelby Casualty;
7. The Receiver and the SDR are discharged;
8. Vesta Fire Insurance Corporation will bear any expenses greater than the closing budget previously approved by this Court, including, without limitation, record retention activities;
9. This proceeding is terminated;

10. The SDR may sign any final tax documents and closing documents; and
11. This order constitutes a final judgment fully resolving all issues relating to the Application as to Shelby Casualty.

Signed this 15th day of July, 2024.



Judge of the District Court

PROPER NOTICE GIVEN

ACKNOWLEDGMENT OF NOTICE AND WAIVER

OF OBJECTION PRESENTED

SUBMITTED

RECOMMENDED

SIGNED ON  DAY OF July 2024

TOM COLLINS, RECEIVERSHIP SPECIAL MASTER