

NO. D-1-GV-08-000945

THE STATE OF TEXAS,
Plaintiff

v.

MEMORIAL SERVICE LIFE
INSURANCE COMPANY, LINCOLN
MEMORIAL LIFE INSURANCE
COMPANY, AND NATIONAL
PREARRANGED SERVICES, INC.,
Defendants

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

250th JUDICIAL DISTRICT

**ORDER GRANTING THE SPECIAL DEPUTY RECEIVER'S
FINAL ACCOUNTING AND APPLICATION TO TERMINATE MEMORIAL SERVICE
LIFE INSURANCE COMPANY RECEIVERSHIP PROCEEDING ONLY AND
DISCHARGE RECEIVER AND SPECIAL DEPUTY RECEIVER**

The Court considered the *Final Accounting and Application to Terminate Memorial Service Life Insurance Company Receivership Proceeding Only and Discharge Receiver and Special Deputy Receiver* (the "Application"), filed by Jo Ann Howard & Associates, P.C., Special Deputy Receiver of Memorial Service Life Insurance Company, Lincoln Memorial Life Insurance Company and National Prearranged Services, Inc. (the "SDR" and "Memorial Service", "Lincoln Memorial" and "NPS" respectively).

1. The *Amended Order of Reference to Master* ("Order of Reference") entered by this Court provides that applications filed pursuant to § 443.007 of the Code are referred to the Special Master appointed in this proceeding;
2. The Application was submitted to the Special Master in accordance with the Order of Reference;
3. Notice of the Application was provided in accordance with § 443.007 (d) of the Code and the Order of Reference, and no objections to the Application were filed;

4. The Texas Life & Health Insurance Guaranty Association ("TLHIGA") filed its acknowledgment and waiver;

5. The Special Master has issued a recommendation that the Application should be granted pursuant to Rule 171 of the Texas Rules of Civil Procedure;

6. The Court has jurisdiction over the Application, and the parties affected hereunder; and

7. The Application should be GRANTED in all respects.

All capitalized terms used herein shall have the same meaning as in the Application.

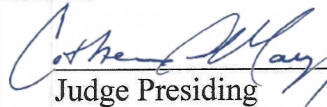
IT IS ORDERED, ADJUDGED, AND DECREED as follows:

1. The Application is granted;
2. The final financial statements, Exhibits 1 through 4, are admitted into evidence and approved;
3. The estimated expenses through the closing of the receivership are approved;
4. The SDR is authorized to advance funds from the Litigation Recoveries held by the NPS estate to the Memorial Service estate for closing expenses if necessary;
5. The SDR is authorized to transfer any Residual Funds to the Litigation Recoveries held by the NPS estate;
6. The form of the assignment of unknown assets to the Commissioner is approved and the SDR is authorized to execute and deliver the Assignment of Assets, Exhibit 6, to the Commissioner;
7. The reopening of this proceeding under § 443.353 of the Code is authorized, if any assigned assets collected and liquidated are, in the Commissioner's discretion, sufficient to be economically distributed, and if not sufficient to be economically

distributed, the Commissioner is authorized to deposit such assets in an account established by the Commissioner in accordance with § 443.304(c) of the Code;

8. The transfer of title to records as described herein is approved and TLHIGA and the Commissioner are authorized to destroy such records at their discretion;
9. The corporate charter of Memorial Service is dissolved;
10. The Receiver and SDR and all predecessors are discharged and all bonds are released;
11. The receivership of Memorial Service is terminated, but the receivership estates of Lincoln Memorial and NPS remain open;
12. The SDR or its designated agent may sign any final tax documents and closing documents; and
13. The stay of actions against Memorial Service expires by operation of law.

SIGNED this 24th day of March, 2025.


Judge Presiding

PROPER NOTICE GIVEN
ACKNOWLEDGMENT OF NOTICE AND WAIVER
OF OBJECTION PRESENTED
SUBMITTED

RECOMMENDED

SIGNED ON

DAY OF

24th March 2025


TOM COLLINS, RECEIVERSHIP SPECIAL MASTER