



IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

IN THE MATTER OF:)
) C.A. No. 8601-VCZ
INDEMNITY INSURANCE CORPORATION,)
RRG, IN LIQUIDATION)

**ORDER TO SHOW CAUSE TO SET A DEADLINE
FOR CLAIMANTS TO OBJECT TO THE RECEIVER'S
FIFTH CLAIMS RECOMMENDATION REPORT AND
TO SET A CONTESTED HEARING DATE**

**PLEASE READ THIS ORDER CAREFULLY AS IT MIGHT AFFECT
YOUR RIGHTS AS A CLAIMANT CONCERNING INDEMNITY
INSURANCE CORPORATION, RRG, IN LIQUIDATION ("IICRRG").**

WHEREAS, on April 10, 2014, the Delaware Chancery Court placed Indemnity Insurance Corporation RRG ("IICRRG") into liquidation by a Liquidation and Injunction Order with Bar Date ("Liquidation Order"), pursuant to Delaware Uniform Insurers Liquidation Act ("DUILA"), 18 *Del. C.* § 5901, *et seq.*;

WHEREAS, the Liquidation Order appointed the Delaware Insurance Commissioner as Receiver ("Receiver") and set a bar date of January 15, 2015 for the filing of proofs of claims against IICRRG and information for filing claims, including a Proof of Claim ("POC") form, was sent to potential claimants of IICRRG; and

WHEREAS, pursuant to 18 *Del. C.* § 5902(a) and the Plan for the Receiver's Claim Recommendation Report and Final Determination of Claim By The Court

(the “Claim Final Determination Plan”), the Receiver filed the Receiver’s Motion for an Order to Show Cause (“Motion for OSC”); and

WHEREAS, the Receiver has filed the Fifth Report of Claims Recommendations Pursuant to Paragraph (C) 8 and 9 of the Claim Final Determination Plan (“Fifth Claim Recommendations Report”).

NOW, THEREFORE, IT IS HEREBY ORDERED as follows:

1. **If your claim was not identified in a prior Claims Recommendation Report, and is not identified in the Fifth Claims Recommendation Report, you do not need to take any action at this time.** Your claim will be identified in a subsequent Claims Recommendation Report, and you will receive a later order scheduling an objection deadline and hearing.

2. Any claimant who objects to the Receiver’s Claim Recommendation for that claimant as stated in the Fifth Claim Recommendations Report must **submit such objection to the Court no later than Monday, January 29, 2024** (the “Objection Deadline”).

3. Any objection must be submitted electronically, with details to be provided to you by email. If you do not have access to email, or you or any attorney you may have has not received an email by December 6, 2023, contact the Receiver for alternate methods of submitting your objection:

by Mail to: Indemnity Insurance Corp., RRG in Liquidation, c/o the Delaware Department of Insurance, Bureau of Rehabilitation and

Liquidation, 1007 N. Orange Street, Suite 1010, Wilmington, Delaware, Attn: Estate Manager;

by email to: iicclaimsinfo@delrlb.com; or

by telephone: 877-472-8360

4. A telephonic hearing on objections to the Receiver's Claim Recommendation as stated in the Fifth Claim Recommendations Report is scheduled for Tuesday, February 27, 2024, beginning at 9:15 a.m. (the "Contested Hearing Date"). The dial-in information for the telephonic hearing is as follows:

Dial-in: 1 (866) 811-9555

Passcode: 718-787-9885

5. If you file an Objection, you will receive electronic communications from the Receiver and the Court before the Contested Hearing Date with more information.

6. At least seven (7) days before the Contested Hearing Date, the Receiver shall comply with Paragraph 15 of the Claim Final Determination Plan.

7. Within seven (7) business days of receipt of this signed Order to Show Cause, the Receiver shall serve upon all claimants that are the subject of the Receiver's Fifth Claim Recommendations Report, notice of the filing of this Order to Show Cause. In accordance with the Plan Regarding Service of the Receiver's Public Court Filings Concerning the Proof of Claims Process that was approved by this Court pursuant to an Order dated August 17, 2020 (D.I. 811) such notice shall

include:

- a. The title and date of the filing or notice;
- b. The URL from which the filing is available for viewing, downloading, or printing;
- c. a statement that the filing is available for viewing, downloading, or printing from an included website; and
- d. an address, telephone number, and email address as a contact to request a copy of the notice or filing by United States Postal Service.

8. If any claimant that has an objection to the Receiver's Recommendation in the Fifth Claim Recommendations Report fails to submit an objection that complies with this Order on or before the Objection Deadline, such claimant will be deemed to have waived any right to Court review of the Receiver's Claim Recommendation, and will be deemed to have abandoned any objection to the Receiver's Claim Recommendation, and will have their claim determined by the Court as uncontested. If your claim is identified in the Fifth Claims Recommendation Report, and even if you notified the Receiver previously that you objected to the Receiver's Notice of Determination and you continue to object to the Receiver's Claim Recommendation in the Fifth Claim Recommendations Report, you must still submit on or before the Objection Deadline a written objection with the Court that complies with this Order. **If you have no objection to the Receiver's Claim Recommendation for your claim or the relief**

sought therein, you do not need to take any further action in response to this Order to Show Cause.

PLEASE TAKE NOTICE THAT:

(a) A Final Determination by the Court regarding the Fifth Claims Recommendation Report determines a final value for the claim but because IICRRG is insolvent, the amount ultimately paid for that value will be a pro rata share of the determined value – this means that if your claim ultimately receives a final determination by the Court of a value greater than zero, you will not receive that full value. The amount that you will ultimately receive will be determined at the same time and *pro rata* with other claimants of your same class including claimants whose claims will be determined in subsequent Claim Recommendation reports. **This means that claimants will not be advantaged or disadvantaged based upon when their claims are finally determined.**

(b) No claim will be paid until after all claim values have been finally determined by the Court through this process and upon later application to the Court by the Receiver for final distribution of IICRRG’s assets and the closing of the IICRRG liquidation.

SO ORDERED this 28th day of November, 2023.

/s/ Morgan T. Zurn

MORGAN T. ZURN, Vice Chancellor