

SEP 18 2019

At 11:00 a.m.
Valva L. Price, District Clerk

Cause No. D-1-GN-19-000723

THE STATE OF TEXAS,
Plaintiff

v.

CAPSON PHYSICIANS INSURANCE
COMPANY

Defendant

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

250TH JUDICIAL DISTRICT

SUPPLEMENTAL ORDER OF REFERENCE TO MASTER

I.

Defendant was placed in rehabilitation pursuant to TEX. INS. CODE § 443.101 *et seq.* on February 11, 2019. An *Order of Reference to Master* was entered on February 21, 2019. On June 28, 2019, Defendant was placed in liquidation pursuant to TEX. INS. CODE § 443.151 *et seq.* This supplemental order refers matters arising in the liquidation proceeding to the master.

II.

The master shall make recommendations to the Court regarding the matters listed below. All references to section numbers refer to the Texas Insurance Code:

1. Sec. 443.005: Motions filed under Subsection (e) to stay proceedings.
2. Sec. 443.007: Motions filed under Subsection (g) to require an objecting party to pay the costs and fees of defending an action.
3. Sec. 443.008: Motions filed under Subsection (a) for orders or stays to carry out Chapter 443, except for temporary restraining orders and injunctions; motions filed under Subsection (d) to extend a stay; motions filed under Subsection (h) for relief, termination, annulment, modification, or conditioning of a stay; and motions filed under Subsection (k) for sanctions for a violation of a stay..
4. Sec. 443.014: Applications filed under Subsection (l) to approve the payment of any settlement submitted to the Court for approval.

5. Sec. 443.015: Applications filed under Subsection (c) to approve the compensation and expenses of the Special Deputy Receiver and contractors or establish thresholds for Court approval for such compensation and expenses; applications filed under Subsection (d) to approve compensation, anticipated expenses, or incurred expenses; and applications filed under Subsection (g) to establish reporting periods.
6. Sec. 443.016: Requirements under Subsection (b) for financial reporting.
7. Sec. 443.056: Motions filed under Subsection (d) to terminate confidentiality obligations.
8. Sec. 443.151: Motions filed under Subsection (b) to fix rights.
9. Sec. 443.152: Applications filed under Subsection (b) for orders continuing coverage, and applications filed under Subsection (d) approving the transfer of policies or annuities.
10. Sec. 443.153: Applications filed under Subsection (a) to sell or dissolve the corporate entity or charter of the insurer.
11. Sec. 443.154: Applications filed under Subsection (c) to appoint an advisory committee; applications filed under Subsection (h) to determine liabilities under transferred policies, surety bonds or undertakings; applications filed under Subsection (p) to invest funds; applications filed under Subsection (y) to sell or abandon property, establish thresholds for Court approval, or transfer rights to reinsurance payments.
12. Sec. 443.155: Applications filed under Subsections (a) or (b) to approve the notice of liquidation, and applications filed under Subsection (e) regarding notice by publication.
13. Sec. 443.201: Motions filed under Subsection (b) to determine entitlement to property; motions filed under Subsection (c) claiming a right to retain property; and motions filed under Subsection (d) requesting the delivery of the property.
14. Sec. 443.203: Motions filed under Subsection (b) to determine remedies for a transferee or obligee of a voided transfer or obligation.

15. Sec. 443.204: Motions filed under Subsection (i) (2) regarding the preservation of a lien or the execution of a conveyance, and motions filed under Subsection (i) (3) to determine the value of the property or lien.
16. Sec. 443.207: Motions filed under Subsection (e) for the recovery of property or its value.
17. Sec. 443.208: Motions filed under Subsection (a) to extend the time to deliver money or property after the entry of a final judgment.
18. Sec. 443.210: Applications filed under Subsection (b) to approve assessments, or for an order to show cause; applications filed under Subsection (e) for orders directing the method of notice; and motions filed under Subsections (f) or (g) for orders determining the liability of a member.
19. Sec. 443.211: Motions filed under Subsection (d) to approve expenses of a reinsurer.
20. Sec. 443.213: Applications filed under Subsection (d) to allocate collateral to secure a deductible agreement and other obligations.
21. Sec. 443.251: Applications filed under Subsection (a) to extend the claims filing deadline, allow alternative procedures and requirements for filing, allowing or proving claims, and dispense with the requirements of filing a proof of claim; and applications filed under Subsection (c) to set a date before which all late claims must be submitted.
22. Sec. 443.253: Applications filed under Subsection (h) to disallow claims for de minimis amount, and applications filed under Subsection (k) for handling claims if there are insufficient assets.
23. Sec. 443.255: Applications filed under Subsection (b) for orders directing the allowance of contingent claims, and applications filed under Subsection (c) for orders setting a date before which contingent claims must be finalized.

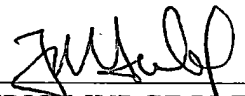
24. Sec. 443.257: Hearings on objections to the proposed treatment of claims, if the master determines that a recommendation will promote judicial economy or consistency, or if the matter will substantially affect the delinquency proceeding. If the master determines that a recommendation is not required, he may request that a District Court Judge hear the matter in accordance with Paragraph IV of this Order.
25. Sec. 443.258: Applications to approve reports of claims.
26. Sec. 443.301: Applications filed under Subsection (j) to allow interest on claims.
27. Sec. 443.302: Applications filed under Subsection (a) to declare and pay distributions, and applications filed under Subsection (c) to distribute and evaluate property.
28. Sec. 443.303: Applications filed under Subsection (c) for early access disbursements, and applications filed under Subsection (i) to offset a deposit or asset from the disbursement.
29. Sec. 443.304: Motions filed under Subsection (b) for orders approving the disposition of unclaimed funds and determining the notice of hearing, and motions filed under Subsection (d) for orders determining the priority of a claim for an amount advanced.
30. Sec. 443.352: Applications for orders terminating the liquidation proceeding, discharging the Liquidator, and any related orders.
31. Sec. 443.353: Applications for orders reopening the liquidation proceeding.
32. Sec. 443.354: Applications for orders directing the disposition of record.
33. Sec. 443.355: External audits of the records of the receivership as ordered by the Court.
34. Sec. 462.309: Any matters related to the application, enforcement, and extension of the stay provided by Sec. 462.309.
35. Any other matters submitted to the Court to approve an action by the Receiver or a Special Deputy Receiver, and any other specific questions referred by the Court.

The master is further authorized to conduct conferences or hearings regarding the status of the delinquency proceeding, at his discretion.

III.

Except as modified by Paragraph II. of this order, the *Order of Reference to Master* continues in effect.

SIGNED at Austin, Texas this 17th day of September, 2019.



DISTRICT JUDGE PRESIDING
TIM SULAK