

CAUSE NO. D-1-GN-19-000723

THE STATE OF TEXAS	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
CAPSON PHYSICIANS INSURANCE	§	
COMPANY,	§	
<i>Defendant.</i>	§	250 TH JUDICIAL DISTRICT

**SPECIAL DEPUTY RECEIVER’S APPLICATION FOR
APPROVAL OF RECEIVERSHIP SERVICE PROVIDER**

TO THE HONORABLE JUDGE OF SAID COURT:

CANTILO & BENNETT, L.L.P., solely in its capacity as Special Deputy Receiver of Capson Physicians Insurance Company (the “SDR” and “CPIC,” respectively) files this Application for Approval of Receivership Service Provider (the “Application”).

I. BACKGROUND

1.1 On February 11, 2019, the Court entered an *Agreed Order Appointing Rehabilitator, Permanent Injunction, and Notice of Automatic Stay* appointing the Texas Commissioner of Insurance as Rehabilitator of CPIC. Effective February 11, 2019, the Texas Commissioner of Insurance, as Rehabilitator, appointed CANTILO & BENNETT, L.L.P. as Special Deputy Receiver of CPIC. On June 28, 2019, the Court entered its Order Appointing Liquidator and Permanent Injunction placing CPIC into liquidation.

II. JURISDICTION

2.1 This Court has jurisdiction over the subject matter of this Application and of the parties herein pursuant to TEX. INS. CODE § 443.005.

III. STATUTORY AUTHORITY

3.1 The SDR is authorized to file this Application pursuant to TEX. INS. CODE § 443.015, which provides for the approval of the SDR’s expenses and compensation by the Court.

The subject matter of this Application has been referred to the Special Master appointed in this proceeding in accordance with the Order of Reference to Master entered on February 21, 2019, and the Supplemental Order of Reference to Master entered on September 18, 2019.

IV. BASIS FOR APPLICATION

4.1 TEX. INS. CODE § 443.015(c)(2) requires the Receiver to submit an application for the approval of any “anticipated expense in excess of \$25,000, or such another amount established by the Court. In addition, TEX. INS. CODE § 443.015(d) permits the Receiver, at his discretion, to submit an application to approve any compensation, anticipated expenses, or incurred expenses not described by Subsection (c)(1).

4.2 The SDR files this Application to authorize the SDR to contract with Rackspace, US, Inc. (“Rackspace”) as a Receivership Service Provider. The SDR originally contracted with Rackspace to provide for hosting and backup of CPIC’s e-mails and electronic communications. At that time, the SDR did not anticipate that the total cost of Rackspace’s services would exceed \$25,000. However, the SDR has recently determined that with Rackspace service costs through May 31, 2023, being \$23,198, the total costs for Rackspace services needed by the CPIC estate will likely exceed \$25,000. The average monthly cost currently associated with Rackspace services is approximately \$250 per month. The SDR requests the Court to approve such terms pursuant to TEX. INS. CODE § 443.015(c)(1) and (d), retroactive to the February 11, 2019. These rates have been approved by the Receiver in accordance with TEX. INS. CODE § 443.154(a).

4.3 The SDR requests that the Court approve the Application and authorize the SDR to contract with Rackspace as set out herein.

V. NOTICE

5.1 The SDR has served this Application to all known parties in interest, including all affected guaranty associations, and all individuals and entities identified by the SDR in the Certificate of Service by e-mail and, as noted, by mail or overnight delivery to certain government agencies.

VI. OFFER OF PROOF AND VERIFICATION

6.1 This Application is verified by the affidavit and certification pursuant to TEX. INS. CODE § 443.017(b) by Joseph N. West, Partner in CANTILO & BENNETT, L.L.P., Special Deputy Receiver of CPIC.

VII. NOTICE OF ELECTRONIC SERVICE REQUIREMENT

7.1 All pleadings filed in response to this Application or in regard to this estate shall be served by e-mail on the undersigned counsel and all parties shown in the attached Certificate of Service.

PRAYER

WHEREFORE, PREMISES CONSIDERED, CANTILO & BENNETT, L.L.P., solely in its capacity as Special Deputy Receiver of CPIC, prays that this Court grant this Application and grant the SDR such other and further relief to which it may justly entitled.

Respectfully submitted,

/s/ Greg Pierce
Gregory A. Pierce
State Bar No. 15994250
P.O. Box 40
Austin, Texas 78767
Tel: (512) 474-2154
gpierce@gpiercelaw.com

-and-

Christopher Fuller
State Bar No. 07515500
FULLER LAW GROUP
4612 Ridge Oak Drive
Austin, Texas 78731
Telephone: (512) 470-9544
cfuller@fullerlaw.org

**Attorneys for CANTILO & BENNETT, LLP,
Special Deputy Receiver of
Capson Physicians Insurance Company**

APPLICANT'S NOTICE OF SUBMISSION

Pursuant to the terms of the Supplemental Order of Reference to Master entered by the District Court in this cause, the *Special Deputy Receiver's Application for Approval of Receivership Service Provider* is hereby set for written submission before the Special Master, Tom Collins, on **August 10, 2023**.

The Special Master has asked that the following rules be provided you:

1. Any objection must be filed with the Travis County District Clerk at least three (3) calendar days before the submission date.
2. A copy of any objection shall be served by e-mail by such date on:
 - (a) The Special Master's Docket Clerk, at specialmasterclerk@tdi.texas.gov;
 - (b) The undersigned counsel, Greg Pierce at gpierce@gpiercelaw.com; and
 - (c) All interested parties, including those listed on the SDR's Certificate of Service.
3. The objecting party shall coordinate with the SDR's counsel and the Docket Clerk [(512) 676-6915] to obtain an oral hearing setting for argument on the Application and Objection, and complete and attach an "Objecting Party's Notice of Oral Hearing" to the objection.
4. The written objection must specifically list all reasons for objection with supporting references to and discussion of statutory and case authorities. Reasons not stated in writing will not be considered orally.
5. **Please note that if an objection is not filed as described in the Notice of Submission, the Master may consider the Application without a hearing.**
6. **Failure to file timely a written objection before the Special Master constitutes a waiver of the right to object to the Special Master's recommendation to the District Court.**
7. Any Acknowledgment of Notice and Waiver to be filed by the Guaranty Association or other interested party should be filed at least three (3) calendar days before the submission or hearing date.

/s/ Greg Pierce
Gregory A. Pierce

CERTIFICATE OF SERVICE

I certify that on July 21, 2023, a true and correct copy of the foregoing *Special Deputy Receiver's Application for Approval of Receivership Service Provider* was served pursuant to the Supplemental Order of Reference to Master, the Texas Rules of Civil Procedure and TEX. INS. CODE 443.007(d) on the following by email, except as specifically otherwise noted.

Via Email: specialmasterclerk@tdi.texas.gov

Tom Collins, Receivership Master
c/o Special Master's Clerk
RLO MC-FRD
PO Box 12030
Austin, TX 78711-2030

Via Email: John.Walker@tdi.texas.gov

John Walker
TEXAS DEPARTMENT OF INSURANCE
RLO MC-FRD
PO Box 12030
Austin, TX 78711-2030

Via Email: David.Ashton@tdi.texas.gov

David Ashton
TEXAS DEPARTMENT OF INSURANCE
P.O. Box 149104
Austin, TX 78714-9104

Via e-Service: Brian.Riewe@tdi.texas.gov

Brian Riewe
TEXAS DEPARTMENT OF INSURANCE
PO Box 149104
Austin, TX 78714-9104

Via Email: Vane.Hugo@tdi.texas.gov

Vane Hugo
TEXAS DEPARTMENT OF INSURANCE
P.O. Box 149104
Austin, TX 78714-9104

Via e-Service: Joshua.Godbey@oag.texas.gov

Joshua R. Godbey
Assistant Attorney General
Financial Litigation Division
OFFICE OF THE TEXAS ATTORNEY GENERAL
P.O. Box 12548
Austin, TX 78711-2548
Counsel for Plaintiff State of Texas

Via e-Service: jthompson@thompsoncoe.com

Jay A. Thompson
THOMPSON, COE, COUSINS & IRONS, LLP
2801 Via Fortuna, Ste 300
Austin, Texas 78746

Via e-Service: eburbach@foley.com

Via e-Service: jsepheri@foley.com

Via e-Service: nbeaird@foley.com

Edward D. Burbach
Kimberly A. Yelkin
FOLEY LARDNER LLP
600 Congress Avenue, Ste 3000
Austin, TX 78701
Counsel for Granite State Insurance Company

Via e-Service: bill.goldsmith@aig.com

Via e-Service: todd.abalos@aig.com

Bill Goldsmith
Todd Abalos
AIG
Reinsurance | AIG Property Casualty
1271 Avenue of the Americas, 35th Floor
New York, NY 10020

Via Email: Ryan.Donaldson@insurance.alabama.gov
Ryan Donaldson
Chief Receiver
ALABAMA DEPARTMENT OF INSURANCE
P.O. Box 303353
Montgomery, AL 36130-3353

Via Email: david.phifer@alaska.gov
David Phifer
Chief Financial Examiner
ALASKA DIVISION OF INSURANCE
Robert B. Atwood Building
550 W. 7th Ave., Ste 1560
Anchorage, AK 99501-3567

Via Email: LNestor@azinsurance.gov
Lori Nestor
Executive Director
ARIZONA INSURANCE GUARANTY FUNDS
1110 West Washington, Suite 270
Phoenix, AZ 85007

Via Email: michelle.mathis@dc.gov
Michelle Mathis
DISTRICT OF COLOMBIA DEPARTMENT OF
INSURANCE, SECURITIES AND BANKING
1050 First Street, NE, 801
Washington, DC 20002

Via Email: Kim.Cross@iid.iowa.gov
Kim Cross
IOWA INSURANCE DIVISION
330 Maple St.
Des Moines, IA 50319-0065

Via Email: eric.fletcher@doi.idaho.gov
Eric Fletcher
IDAHO DEPARTMENT OF INSURANCE
P.O. Box 83720
Boise, ID 83720-0043

Via Email: alentine@alaigna.com
Andrea Lentine
Executive Director
ALABAMA INSURANCE GUARANTY ASSOCIATION
2020 Canyon Road, Suite 200
Birmingham, AL 35216

Via Email: sdaniels@nadj.com
Susan Daniels
Fund Administrator
ALASKA INSURANCE GUARANTY ASSOCIATION
C/O NORTHERN ADJUSTERS, INC.
1401 Rudakoff Circle, Suite 100
Anchorage, AK 99508

Via Email: Steve.Uhrynowycz@arkansas.gov
Steve Uhrynowycz, Deputy Receiver
ARKANSAS INSURANCE DEPARTMENT
ARKANSAS PROPERTY &
CASUALTY GUARANTY FUND
1023 West Capitol Avenue
Little Rock, AR 72201

Via Email: blaw@gfms.org
Barbara Law
GUARANTY FUND MANAGEMENT SERVICES
One Bowdoin Square
Boston, MA 02114-2916

Via Email: augspurgen.steven@bradshawlaw.com
Steven Augspurgen
General Counsel
IOWA INSURANCE GUARANTY ASSOCIATION
801 Grand Avenue, Suite 3700
Des Moines, IA 50309-8004

Via Email: canderson@wgfs.org
Chad Anderson
President
IDAHO INSURANCE GUARANTY ASSOCIATION
C/O WESTERN GUARANTY FUND SERVICES
1720 S Bellaire Street, #408
Denver, WA 80222

Via Email: marcy.savage@illinois.gov
Marcy Savage
Assistant Deputy Director of Corporate
ILLINOIS DEPARTMENT OF INSURANCE
222 Merchandise Mart Plaza, Suite 960
Chicago, IL 60654

Via Email: tschotke@iigf.org
Tim Schotke
Executive Director
ILLINOIS INSURANCE GUARANTY FUND
150 South Wacker Drive, Suite 2970
Chicago, IL 60606

Via Email: Liz@in-solv.com
Elizabeth Lovette
INDIANA DEPARTMENT OF INSURANCE
311 West Washington St.
Indianapolis, IN 46204-2787

Via Email: abarbera@quadassoc.org
Amanda Barbera
Executive Director
INDIANA INSURANCE GUARANTY ASSOCIATION
251 East Ohio Street, Suite 1070
Indianapolis, IN 46204-2143

Via Email: Sharron.Burton@ky.gov
Sharron Burton
General Counsel
KENTUCKY OFFICE OF INSURANCE
215 W. Main St.
Frankfort, KY 40601

Via Email:
scott.webster@kyinsuranceguaranty.com
A. Scott Webster
Executive Director
KENTUCKY INSURANCE GUARANTY ASSOCIATION
10605 Shelbyville Road, Suite 101
Louisville, KY 40223

Via Email: walt.corey@ldi.la.gov
Walter Corey
LOUISIANA DEPARTMENT OF INSURANCE
P.O. Box 94214
Baton Rouge, LA 70802

Via Email: jwells@laiga.org
John Wells
Director of Operations & Logistics
LOUISIANA INSURANCE GUARANTY ASSOCIATION
2142 Quail Run Drive
Baton Rouge, LA 70808-4126

Via Email: lynn.beckner@maryland.gov
Lynn Beckner
Chief Financial Analyst
MARYLAND INSURANCE ADMINISTRATION
200 St. Paul Place, Suite 2700
Baltimore, MD 21202

Via Email: dprice@pcigc.com
Deborah Price, Acting President
MARYLAND PROPERTY & CASUALTY
INSURANCE GUARANTY CORPORATION
305 Washington Avenue, Suite 600
Towson, MD 21204-4715

Via Email: shelley.forrest@insurance.mo.gov
Shelley Forrest
Receivership Counsel, Legal Section
MISSOURI DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS & PROF.
REGISTRATION
PO Box 690
Jefferson City, MO 65102-0690

Via Email: tkopp@mo-iga.org
Tamara Kopp
Executive Director
MISSOURI PROPERTY & CASUALTY INSURANCE
GUARANTY ASSOCIATION
630 Bolivar Street, Ste 204
Jefferson City, MO 65101

Via Email: donna.whitley@mid.state.ms.us
Donna Whitley
MISSISSIPPI DEPARTMENT OF INSURANCE
501 North West St
Jackson, MS 39201

Via Email: arussell@msiga.net
Arthur Russell
Executive Director
MISSISSIPPI INSURANCE GUARANTY ASSOCIATION
713 South Pear Orchard Road, Ste 200
Ridgeland, MS 39157

Via Email: smatthews@mt.gov
Steve Matthews
Insurance Division
MONTANA STATE AUDITOR'S OFFICE
840 Helena Ave.
Helena, MT 59601

Via Email: canderson@wgfs.org
Chad Anderson
President
MONTANA INSURANCE GUARANTY ASSOCIATION
C/O WESTERN GUARANTY FUND SERVICES
1720 S Bellaire Street, #408
Denver, WA 80222

Via Email: mattfischer@nd.gov
Matt Fischer
NORTH DAKOTA INSURANCE DEPARTMENT
600 E. Boulevard Ave.
Bismarck, ND 58505

Via Email: jsc46@bis.midco.net
Jeffrey J. Cahill
Managing Secretary
NORTH DAKOTA INSURANCE GUARANTY
ASSOCIATION
P.O. Box 2634
Bismarck, ND 58502-2634

Via Email: peg.jasa@nebraska.gov
Peggy Jasa
NEBRASKA DEPARTMENT OF INSURANCE
941 "O" Street, Suite 400
Lincoln, NE 68508-3639

Via Email: ldf3436p@aol.com
L. Dean Fletcher
Administrator
NEBRASKA PROPERTY & LIABILITY INSURANCE
GUARANTY ASSOCIATION
P.O. Box 57006, Station C
Lincoln, NE 68505

Via Email: mickey.vancuren@state.nm.us
Mickey VanCuren
Deputy Superintendent
NEW MEXICO INSURANCE DIVISION
P.O. Box 1269
Santa Fe, NM 87504-1269

Via Email: debbiel@integriongroup.com
Via Email: sharil@integriongroup.com
Debbie Luera
Executive Director
Shari Lucero
NEW MEXICO INSURANCE GUARANTY
ASSOCIATION / INTEGRION GROUP
P.O. Box 27815
Albuquerque, NM 87125

Via Email: finances@doi.nv.gov
NEVADA DIVISION OF INSURANCE
1818 E. College Pkwy., Suite 103
Carson City, NV 89706

Via Email: bgilbert@niga-pc.org
Bruce W. Gilbert
Executive Director
NEVADA INSURANCE GUARANTY ASSOCIATION
3821 West Charleston Boulevard, Suite 100
Las Vegas, NV 89102-1859

Via Email: kelly.callahan@oid.ok.gov
Kelley Callahan
Asst. General Counsel
OKLAHOMA DEPARTMENT OF INSURANCE
2401 N.W. 23rd, Suite 28
Oklahoma City, OK 73152-3408

Via Email: jcannon@opciga.org
Jessica Cannon
Accounting Administrator
OKLAHOMA PROPERTY & CASUALTY INSURANCE
GUARANTY ASSOCIATION
2601 Northwest Expressway, Suite 330E
Oklahoma City, OK 73112

Via Email: ryan.w.keeling@oregon.gov
Ryan Keeling
Manager/Chief Examiner
OREGON DIVISION OF INSURANCE
PO Box 14480
Salem, OR 97309-0405

Via Email: cbazant@oregoniga.org
Cathy Braughton-Bazant
Administrator
OREGON INSURANCE GUARANTY ASSOCIATION
10700 Southwest Beaverton Hwy, Suite 426
Beaverton, OR 97005

Via Email: c-cmcdonal@pa.gov
Crystal McDonald
Liquidations Project Dir.
PENNSYLVANIA DEPARTMENT OF INSURANCE
901 North 7th Street
Harrisburg, PA 17102

Via Email: rbauso@ppciga.org
Raymond Bauso
Executive Director
PENNSYLVANIA PROPERTY & CASUALTY
INSURANCE GUARANTY ASSOCIATION
One Penn Center, Suite 1850
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103

Via Email: Johanna.Nickelson@state.sd.us
Johanna Nickelson
SOUTH DAKOTA DIVISION OF INSURANCE
445 East Capitol Avenue
Pierre, SD 57501

Via Email: eevans@ehhlawyers.com
Edwin F. Evans
SOUTH DAKOTA PROPERTY & CASUALTY
INSURANCE GUARANTY ASSOCIATION
EVANS, HAIGH & HINTON, LLP
P.O. Box 1030
Sioux Falls, SD 57101-1030

Via Email: bill.huddleston@tn.gov
Bill Huddleston
Insurance Division
TENNESSEE DEPARTMENT OF COMMERCE
AND INSURANCE
500 James Robertson Pkwy., 4th Fl.
Nashville, TN 37243

Via Email: AWalker@tpciga.org
Via Email: Slang@tpciga.org
Amber A. Walker
Sara Lang
TEXAS PROPERTY CASUALTY INSURANCE
GUARANTY ASSOCIATION
9120 Burnet Road
Austin, TX 78758

Via Email: MelanieA@oic.wa.gov
Melanie Anderson
Acting Deputy Deputy Commissioner
WASHINGTON OFFICE-INS COMMISSIONER
5000 Capitol Boulevard
Tumwater, WA 98501

Via Email: marysue.gilardi@wisconsin.gov
Mary Sue Gilardi
WISCONSIN OFFICE OF THE INSURANCE
COMMISSIONER
P.O. Box 7873
Madison, WI 53707-7873

Via Email: mary.j.lewis@wv.gov
Mary Jo Lewis
WEST VIRGINIA INSURANCE COMMISSION
P.O. Box 50540
Charleston, WV 25305-0540

Via Email: jblatt@ncigf.org
John Blatt
THE NATIONAL CONFERENCE OF
INSURANCE GUARANTY FUNDS
300 North Meridian St., Suite 1020
Indianapolis, IN 46204

Via Email: knations@tiga.net
Kerry Nations
Administrator
TENNESSEE INSURANCE GUARANTY ASSOCIATION
3100 West End Avenue, Suite 670
Nashville, TN 37203

Via Email: aevans@tpciga.org
Annette Evans, CPCU, CLU, ChFC
Claims Director
TEXAS PROPERTY CASUALTY INSURANCE
GUARANTY ASSOCIATION
9120 Burnet Road
Austin, TX 78758

Via Email: canderson@wgfs.org
Chad Anderson
WASHINGTON INSURANCE GUARANTY ASSOC.
C/O WESTERN GUARANTY FUND SERVICES
1720 S Bellaire Street, #408
Denver, WA 80222

Via Email: allan@wisf-madison.org
Allan Patek
Executive Director
WISCONSIN INSURANCE SECURITY FUND
2820 Walton Commons West, Suite 135
Madison, WI 53718-6797

Via Email: sonni.peterson@ohioga.org
Sonni Peterson
President
WEST VIRGINIA INSURANCE GUARANTY
ASSOCIATION
5005 Horizons Drive, Suite 200
Columbus, OH 46220

Via First Class Mail
INTERNAL REVENUE SERVICE
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

Via First Class Mail

INTERNAL REVENUE SERVICE
Special Procedures Branch
300 East 8th Street, Suite 352
Mail Stop 5026AUS
Austin, TX 78701

Via Email: hancock@amhfirm.com

Via Email: wallace@amhfirm.com

Julia Hancock
Tonya Wallace, Financial Director
ANDERSON, MURPHY & HOPKINS
400 W. Capitol Avenue, Suite 2400
Little Rock, AR 72201

Via Email: pmc@madisonlaw.com

Paul M. Cash
MADISON, MROZ, STEINMAN & DEKLEVA, P.A.
201 3rd Street NW, Suite 1600
Albuquerque, NM 87102

Via Email: mail@holealvarez.com

Ronald G. Hole
HOLE & ALVAREZ, LLP
Water Tower Centre
612 W. Nolana, Suite 370
McAllen, TX 78504

Via Email: chris@getclawfirm.com

Via Email: sherra@getclawfirm.com

Chris Tardio
GIDEON, ESSARY TARDIO & CARTER, PLC
315 Deaderick Street, Ste 1100
Nashville, TN 37238

Via Email: swoodley@grgpc.com

Stephen R. Woodley
GRAY, RITTER & GRAHAM, P.C.
701 Market Street, Suite 800
St. Louis, Missouri 63101

Via e-Service: anthony@icenoglefirm.com

Anthony Icenogle
ICENOGL & BOGGINS, P.L.L.C.
6907 N. Capital of Texas Hwy., Ste 220
Austin, Texas 78731
Counsel for Shareholders

Via Email: mroth@eichhorn-law.com

Michael Roth
EICHHORN & EICHHORN, LLP
9101 North Wesleyan Road, Ste 401
Indianapolis, IN 46268

Via Email: kwildenfels@bluewilliams.com

Karen Wildenfels
BLUE WILLIAMS, LLP
3421 North Causeway Blvd.
Metairie, LA 70002

Via Email: pamstutz@scottdoug.com

Paige Arnette Amstutz
SCOTT, DOUGLASS & MCCONNICO, LLP
303 Colorado Street, Suite 2400
Austin, TX 78701

Via Email: dcyrus@shumanlaw.com

Dwayne E. Cyrus
SHUMAN, MCCUSKEY & SLICER, PLLC
Suite 200, 1411 Virginia Street, East
Post Office Box 3953
Charleston, WV 25339

Via Email: bmalkmus@malkmuslaw.com

Brian Malkmus
MALKMUS LAW FIRM
305 Park Central W
Springfield, MO 65806

Via Email: mgrumley@kentuckylawyers.com

Via Email: acain@kentuckylawyers.com

Miller Grumley

Adrienne Cain

BRADLEY, FREED & GRUMLEY, P.S.C

1634 Broadway

Paducah, KY 42002

Via Email: rjones@flahertylegal.com

Richard D. Jones, Esquire

FLAHERTY SENSABAUGH BONASSO

200 Capitol Street

Charleston, WV 25301

/s/ Greg Pierce

Gregory A. Pierce

THE STATE OF TEXAS	§	IN THE DISTRICT COURT OF
<i>Plaintiff,</i>	§	
	§	
v.	§	TRAVIS COUNTY, TEXAS
	§	
CAPSON PHYSICIANS INSURANCE	§	
COMPANY,	§	
<i>Defendant.</i>	§	250 TH JUDICIAL DISTRICT

ORDER GRANTING SPECIAL DEPUTY RECEIVER'S APPLICATION FOR APPROVAL OF RECEIVERSHIP SERVICE PROVIDER

On this date, the Court heard the Application for Approval of Receivership Service Provider (the "Application") filed by CANTILO & BENNETT, L.L.P., solely in its capacity as Special Deputy Receiver of Capson Physicians Insurance Company (the "SDR" and "CPIC," respectively). The SDR appeared by and through its counsel.

Having considered the Application, the Court finds as follows:

1. The *Supplemental Order of Reference to Master* provide that motions filed pursuant to TEX. INS. CODE § 443.015 are referred to the Special Master appointed in this proceeding;
 2. Notice of the Application was provided in accordance with TEX. INS. CODE §443.007 and the *Supplemental Order of Reference to Master*;
 3. The Texas Property and Casualty Insurance Guaranty Association filed its acknowledgement and waiver;
 4. No objections to the Application were filed;
 5. The Court has jurisdiction over the Application and the parties affected hereunder;
- and
6. The SDR's Application should be granted in all respects.

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

1. The Application is GRANTED in all respects.
2. The terms of compensation of Rackspace, US Inc. under the terms and condition described in the Application are APPROVED.
3. The past and anticipated future expenses described in the Application are approved.
4. This Order constitutes a final order fully resolving all issues relating to the Application, provided that this Court shall retain jurisdiction to issue further orders pursuant to TEX. INS. CODE Chapter 443.

Signed on _____, 2023.

JUDGE PRESIDING