

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. CAROL R. EDMEAD
J.S.C Justice

PART 35
450500-16
INDEX NO.
MOTION DATE 5/18/17
MOTION SEQ. NO. 5

Health Republic INS,
-v- OF NY, CORP.

The following papers, numbered 1 to , were read on this motion to/for
Notice of Motion/Order to Show Cause -- Affidavits -- Exhibits No(s).
Answering Affidavits -- Exhibits No(s).
Replying Affidavits No(s).

Upon the foregoing papers, it is ordered that this motion is

Based on the submission and an in-court conference on today's date (Deborah Rothrock, Court Reporter), it is hereby

ORDERED that the order to show cause is granted in accordance with the annexed order.

This constitutes the decision and order of the Court.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):

Dated: 5/18/17

[Signature] J.S.C.
HON. CAROL R. EDMEAD

- 1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER DO NOT POST FIDUCIARY APPOINTMENT REFERENCE

At IAS Part 35 of the Supreme Court of the State of New York, County of New York, at the courthouse, 60 Centre Street, in the County, City and State of New York, on the 18 day of May, 2017.


HON. CAROL EDMEAD

P R E S E N T :

HON. CAROL R. EDMEND, J.S.C.

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In the Matter of

Index No. 450500/2016

the Liquidation of

ORDER

HEALTH REPUBLIC INSURANCE OF NEW YORK, CORP.

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Maria T. Vullo, Superintendent of Financial Services of the State of New York as liquidator ("Liquidator") of Health Republic Insurance of New York, Corp. ("Health Republic"), moved this Court for an order (1) appointing Hon. Anthony J. Carpinello (Ret.) and Alberto Torres, Esq., to serve as referees to hear and report on the validity of any unresolved objections to the Liquidator's determination of Policy Claims (as defined in paragraph 3(a) of the Court's Order Approving the Procedure for the Liquidator's Adjudication of Claims, dated October 11, 2016); and (2) authorizing the Liquidator to engage Independent Medical Expert Consulting Services Inc. ("IMEDECS") to provide independent medical review services on an as-needed basis in support of referee reviews of such unresolved objections.


NOW, upon reading the affirmation of Eliot Kirshnitz, an attorney for the New York Liquidation Bureau, the organization that carries out the duties of the Liquidator, dated April 14, 2017, and proof of service thereof upon all interested parties having been made, after due deliberation;

NOW, upon application of the Liquidator, it is ORDERED that:

1. Anthony J. Carpinello, Esq., and Alberto Torres, Esq., are appointed as Referees to hear and report on the validity of any unresolved objections the Liquidator's determination of claims, and such Referees shall be paid a fee based on an hourly rate of \$250 as an administrative expense of Health Republic.

2. The Liquidator is authorized to engage Independent Medical Expert Consulting Services Inc. ("IMEDECS") to provide independent medical review services on an as-needed basis at a base rate of \$425 per medical necessity review or coverage determination review as an administrative expense of Health Republic.

ENTER


J. S. C.

HON. CAROL R. EDMEAD
J.S.C.