

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 \_\_\_\_ day of \_\_\_\_\_, 2017.

P R E S E N T :

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

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In the Matter of

Index No. 450500/2016

the Liquidation of

**ORDER TO SHOW CAUSE**

HEALTH REPUBLIC INSURANCE OF NEW YORK, CORP.

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Based upon the affirmation of Eliot Kirshnitz (“Kirshnitz Affirmation”), an attorney with the New York Liquidation Bureau, the organization that carries out the duties of 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”), dated January 20, 2017, and upon all other papers previously submitted and all proceedings heretofore had herein;

NOW, on motion of the Liquidator, and after due deliberation having been had thereon;

LET all claimants and parties interested in the affairs of Health Republic show cause before this Court at IAS Part 35, Room 438, at the Courthouse located at 60 Centre Street, New York, New York 10007, on the \_\_\_\_ day of \_\_\_\_\_, 2017 at \_\_\_\_ o’clock \_\_m. (“Return Date”), or as soon thereafter as counsel can be heard, why an order, substantially in the form of the proposed order attached as Exhibit D to the Kirshnitz Affirmation, should not be made confirming that, notwithstanding the existence of an anti-assignment provision in a Health Republic insurance policy, the Liquidator may, where appropriate, make an allowed payment

directly to a health care provider for the costs of covered services, whether the claim for payment was made by the policyholder, the health care provider, or both;

AND, sufficient cause having been alleged therefore, it is hereby

ORDERED, that the Liquidator shall give notice of this application by: (i) posting this Order to Show Cause and its supporting papers on the Health Republic Internet web page at <http://www.healthrepublicny.org/> and the New York Liquidation Bureau Internet web page at <http://www.nylb.org/> at least ten (10) days before the Return Date; and (ii) publishing the notice substantially in the form attached as Exhibit C to the Kirshnitz Affirmation in the *New York Post* and the *New York Daily News* within twenty (20) days following the date of issuance of this Order to Show Cause; and it is further

ORDERED, that a copy of answering papers, either in support of or opposition to the relief sought herein (“Answering Papers”), shall be served on the Liquidator at the following address:

Superintendent of Financial Services of the State of New York  
as Liquidator of Health Republic Insurance of New York, Corp.  
110 William Street, 15th Floor  
New York, New York 10038  
Attention: General Counsel

at least seven (7) days before the Return Date, and the original Answering Papers, together with an affidavit of service, shall be filed with the Court on or before the Return Date.

E N T E R

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J. S. C.