

SUPERIOR COURT OF NEW JERSEY  
 CHANCERY DIVISION: MERCER COUNTY  
 FEB 25 2002  
 DEPUTY CLERK OF SUPERIOR COURT

**ADDAS, BERLIN, KAPLAN, DEMBLING  
BURKE & POTENZA, P.A.**

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**Attorneys for Petitioner New Jersey Surplus Lines Insurance Guaranty Fund**

<p>In the matter of</p> <p>UNITED CAPITOL INSURANCE COMPANY AND ITS INSURED</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION: MERCER COUNTY DOCKET NO. C-1-02</p> <p>Civil Action</p> <p><b>ORDER</b></p>
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**THIS MATTER** having been opened to the Court by Addas, Berlin, Kaplan, Dembling, Burke & Potenza, P.A. (John Burke, Esq. appearing), attorneys for petitioner New Jersey Surplus Lines Insurance Guaranty Fund, ("Guaranty Fund"), by way of verified complaint, affidavit of Holly Bakke, Executive Director of the Guaranty Fund, and supporting brief, and this court, on January 4, 2002, having entered an order to show cause with temporary restraints staying all proceedings in which United Capitol Insurance Company is a party or is obligated to defend a party in any court in this state until further order of this court, said order further setting February 21, 2002 as the date on which argument would be heard on whether a stay of such proceedings for a period of 120 days *nunc pro tunc* to November 14, 2001 should be entered, and said order to show cause being published in the Newark Star Ledger, Courier Post, New Jersey Law Journal and New Jersey Lawyer, and the court having received no opposition to said application, and having heard the argument of counsel, and due deliberation having been had herein, and the court having set forth its reasons on the record, and for good cause being shown,

IT IS ON THIS 25th DAY OF February, 2002

ORDERED that all proceedings in which United Capitol Insurance Company is a party or is obligated to defend a party in any court in this state be, and hereby are, stayed for a period of 120 days *nunc pro tunc* to November 14, 2001, said stay to expire on March 14, 2002, and it is further;

ORDERED that notice of this order shall be served by publishing a copy of same in the New Jersey Law Journal, New Jersey Lawyer, Newark Star Ledger and Courier Post as soon as practicable following its execution, and it is further;

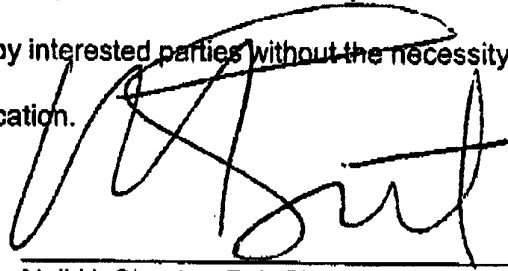
ORDERED that a copy of this order shall be served <sup>by the petitioner</sup> upon the civil presiding judge and civil division manager of each vicinage in this state within <sup>^</sup> 7 days of the date of its entry, and it is further;

ORDERED that any application for relief from this stay shall be brought in this court and made by formal motion on notice to all interested parties, including the Guaranty Fund, and it is further;

ORDERED that the Guaranty Fund shall provide to the court a list of the proceedings of which it is aware, which list shall set forth the identity of <sup>all parties</sup> the plaintiff and <sup>^</sup> ~~the name of the United Capitol insured~~ <sup>the United Capitol insured</sup> which is a party to the proceeding, as well as the complete docket number of the proceeding, including county of venue, which list shall be provided to the court by March 6, 2002, and it is further;

ORDERED that the Guaranty Fund shall forthwith review cases of which it is aware to make arrangements for the continued defense of the United Capitol insured, and it is further;

**ORDERED** that the Guaranty Fund shall in good faith consider exceptions to this order on the basis of informal requests made by interested parties without the necessity of the burdening this court with a formal application.

A handwritten signature in black ink, appearing to read 'Neil H. Shuster', is written over the text of the order. The signature is fluid and cursive, with a large initial 'N' and 'S'.

Neil H. Shuster, P.J. CH.

JB:em