

CAUSE NO. D-1-GN-25-007344

THE TEXAS DEPARTMENT  
OF INSURANCE,  
Plaintiff

v.

NEW CENTURY INSURANCE COMPANY  
Defendant

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

126<sup>TH</sup> JUDICIAL DISTRICT

**ORDER GRANTING APPLICATION TO SET CLAIM FILING DEADLINE AND  
APPROVE NOTICES**

On this day the Court considered the *Application to Set Claim Filing Deadline and Approve Notices* ("Application") filed by FitzGibbons & Company, Inc., Special Deputy Receiver of New Century Insurance Company (Special Deputy Receiver and New Century, respectively). The Application requests this Court to approve the deadline to file claims, the notices to creditors, and the requirements for filing a proof of claim (POC).

In accordance with the Order of Reference to Master entered on October 3, 2025 (Order of Reference), the Application was submitted to the Master appointed in this cause. The Master issued a recommendation pursuant to Rule 171 of the Texas Rules of Civil Procedure, which is incorporated herein, finding as follows:

1. Notice of the Application was given to all persons on the service list in accordance with Tex. Ins. Code § 443.007(d) and the Order of Reference, and no objections were filed by any party in interest.
2. The notice described in the Application complies with the requirements of Tex. Ins. Code § 443.155 and due process.

3. The relief sought is an appropriate exercise of the Special Deputy Receiver's and this Court's discretion, and the Application should in all things be approved.

Having considered the pleadings, the evidence submitted, and the recommendation of the Master, the Court accepts the Master's recommendation and grants the Application.

It is therefore ORDERED, ADJUDGED and DECREED that:

1. The Affidavit of Michael J. FitzGibbons and supporting exhibits are admitted into evidence;
2. The Application is GRANTED in all respects;
3. The Special Deputy Receiver is authorized to execute any documents necessary to effectuate the purposes of the Application;
4. The Court approves the notices attached to the Application and finds that such notices comply with the requirements of the Texas Insurance Code and due process;
5. The Court approves the proof of claim form attached to the Application and finds that the form, or one substantially similar, complies with the Texas Insurance Code;
6. The Court finds that a letter, email or other informal proof of claim shall not suffice to comply with the requirement that all claimants use the proof of claim form attached to the Application;
7. The Court sets March 3, 2027, at 11:59 p.m. CST as the Claims Filing Deadline for the filing of proofs of claim. Proofs of claim must be postmarked or received by the SDR by the Claims Filing Deadline;
8. The Court authorizes the Special Deputy Receiver to process proofs of claim as described in the Application;

9. The Court sets the *de minimis* amount under Section 443.253(h) of the Texas Insurance Code at any claim payable at less than \$25.00.
10. The Special Deputy Receiver is not required to process a proof of claim for any class until it appears reasonably likely that there will be a distribution to that class as permitted by Section 443.253(k) of the Texas Insurance Code; and
11. The Special Deputy Receiver is authorized to take actions consistent with Tex. Ins. Code Chapter 443 to implement this order.
12. This order constitutes a final order fully resolving all issues relating to the Application, provided that this Court will retain further jurisdiction to enter further orders pursuant to Chapter 443 of the Texas Insurance Code.

Signed this 29th day of January, 2026.

Original Signed By

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Judge of the District Court

PROPER NOTICE GIVEN  
ACKNOWLEDGMENT OF NOTICE AND WAIVER  
OF OBJECTION PRESENTED

SUBMITTED

RECOMMENDED

SIGNED ON

Original Signed By

TOM COLLINS, RECEIVERSHIP SPECIAL MASTER