

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

**THE TEXAS DEPARTMENT
OF INSURANCE,
Plaintiff**

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IN THE DISTRICT COURT OF

v.

TRAVIS COUNTY, TEXAS

**NEW CENTURY INSURANCE COMPANY
Defendant**

126TH JUDICIAL DISTRICT

**ORDER GRANTING
SPECIAL DEPUTY RECEIVER'S APPLICATION TO MAKE FIRST EARLY ACCESS
PAYMENT PURSUANT TO TEX. INS. CODE § 443.303(c)**

TO THE HONORABLE JUDGE OF THIS COURT:

On this day the Court considered the Special Deputy Receiver's Application (Application) to Make First Early Access Payment Pursuant to Tex. Ins. Code. § 443.303(c) (SDR and NCIC, respectively). The Application seeks approval for the payment of a first early access payment to the Texas Property and Casualty Insurance Guaranty Association (TPCIGA). The matter was heard on submission. The SDR submitted the application through its counsel. Although duly and timely notified of the Application and its submission, no individual appeared on behalf of any other party in interest.

Having considered the Application, the evidence, the argument of Counsel, if any, and the recommendation of Tom Collins, the receivership master acting under the Order of Reference to Master ("receivership master") entered in this cause on October 3, 2025 ("Order of Reference,") the Court finds as follows:

1. This Court has jurisdiction to hear this matter and jurisdiction is properly in the 126th Judicial District Court of Travis County, Texas, as the court in which these delinquency proceedings are pending pursuant to TEX. INS. CODE § 443.005(c);

2. The subject matter of this Application and the hearing of any objections to the *Application* have been properly referred to the receivership master appointed by this Court in this proceeding, in accordance with the Order of Reference, under paragraph 28;
3. The SDR is authorized to file the Application pursuant to TEX. INS. CODE §§ 443.303;
4. The *Application* was properly submitted for hearing by submission before the receivership master in accordance with the Order of Reference and no objection to the *Application* was filed;
5. The notice of the hearing was made to the certificate of service and was in accordance with the notice requirements of TEX. INS. CODE §§443.004(a)(17) and 443.007(a) and (d), and the Order of Reference, and meets the requirements of due process;
6. The receivership master has issued a recommendation that the Application should be granted pursuant to Rule 171 of the Texas Rules of Civil Procedure;
7. The recommendation of the receivership master should be confirmed, and the *Application* should be **GRANTED**.


It is ORDERED, ADJUDGED and DECREED that:

1. The Application is approved and GRANTED in all respects;
2. Exhibit A, the Affidavit of Michael J. FitzGibbons, and its supporting exhibits are admitted into evidence;
3. The SDR may make a first early access payment to TPCIGA in the amount of \$200,000; and
4. TPCIGA shall, upon deposit of the payment into an account for its benefit, be deemed to have agreed to the provisions of TEX. INS. CODE §443.303 and §443.303(g).

SO ORDERED.

Signed this 18th day of May, 2026.

Original Signed By



Judge of the District Court

PROPER NOTICE GIVEN
ACKNOWLEDGMENT OF NOTICE AND WAIVER
OF OBJECTION PRESENTED

SUBMITTED

RECOMMENDED

SIGNED ON 11TH DAY OF May 2026

Original Signed By

TOM COLLINS, RECEIVERSHIP SPECIAL MASTER