

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,  
IN AND FOR LEON COUNTY, FLORIDA**

In Re: The Receivership of  
American Capital Assurance Corp.

CASE NO.: 2021 CA 0641

**ORDER AUTHORIZING EARLY ACCESS DISBURSEMENTS  
TO ELIGIBLE GUARANTY ASSOCIATIONS**

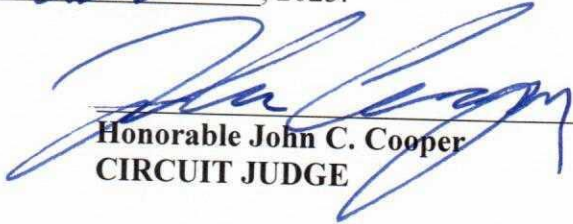
**THIS MATTER** was considered upon the Department's *Second Application for an Order Authorizing Early Access Disbursements to Eligible Guaranty Associations* ("Second Application"). The Court, having reviewed the application and being otherwise fully advised in the premises, finds the following:

1. The Guaranty Associations listed in "Exhibit C," as attached to the Department's Second Application, are the guaranty associations contemplated by section 631.397, Florida Statutes, which provides in substance that the Department may disburse assets marshaled in an insolvent insurer's receivership to each guaranty association entitled thereto, as such assets become available.
2. The written Early Access Agreement, attached to the Department's Second Application as "Exhibit A," between the Department and the eligible Guaranty Associations, satisfies the requirements of section 631.397, Florida Statutes.
3. The court has previously authorized the disbursement of Thirty Million, Four Hundred Thirty Thousand Dollars (\$30,430,000.00) to eligible Guaranty Associations in the AmCap receivership.
4. The Department has adequate liquid assets available to provide the eligible Guaranty Associations with an aggregate early access disbursement of Six Million, Ten Thousand, Six Hundred Sixty-Nine Dollars (\$6,010,669.00) as requested in the Department's Second

Application for the claims and administrative expenses incurred by the eligible Guaranty Associations.

WHEREFORE, it is **ORDERED** and **ADJUDGED** that the Department is authorized and directed to release Six Million, Ten Thousand, Six Hundred Sixty-Nine Dollars (\$6,010,669.00) as early access funds to the eligible Guaranty Associations as listed in "Exhibit C" of the Department's Application.

**DONE** and **ORDERED** in Chambers at the Leon County Courthouse, Tallahassee, Leon County, Florida, this 28<sup>th</sup> day of March, 2023.

  
Honorable John C. Cooper  
CIRCUIT JUDGE

*cc Attorneys of Record*