

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

In Re: 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 both the Department's *Third Application for an Order Authorizing Early Access Disbursements to Eligible Guaranty Associations*. The Court, having reviewed the motion 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 Application, are the guaranty associations contemplated by section 631.397, Florida Statutes, which provides in substance that the Department may disburse assets out of such insurer's marshaled assets, as such assets become available, to each guaranty association entitled thereto.

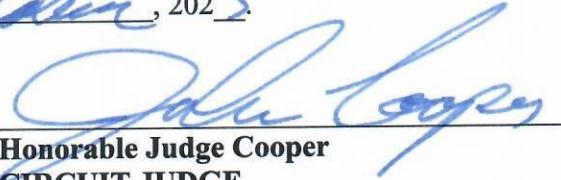
2. The written Early Access Agreements, attached to the Department's Applications as "Exhibit A," between the Department and the eligible Guaranty Associations, satisfy the requirements of section 631.397, Florida Statutes.

3. The court has previously authorized the disbursement of thirty-six million four hundred forty thousand six hundred sixty-nine dollars (\$36,440,669) to eligible Guaranty Associations in the American Capital Assurance Corp. (hereinafter "AmCap") receivership.

4. The Department has adequate liquid assets available to provide the eligible Guaranty Associations with an aggregate early access disbursement of two million two hundred seventy thousand two hundred thirteen dollars (\$2,270,213) as requested in the Application for their incurred claims and administrative expenses in the AmCap receivership.

WHEREFORE, it is **ORDERED** and **ADJUDGED** that the Department is authorized and directed to release two million two hundred seventy thousand two hundred thirteen dollars (\$2,270,213) as early access funds to the 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 30th day of October, 2023.



Honorable Judge Cooper
CIRCUIT JUDGE

*cc Attorneys
of Record*