

STATE OF SOUTH DAKOTA) IN CIRCUIT COURT

) ss:

COUNTY OF HUGHES) SIXTH JUDICIAL CIRCUIT

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|---------------------------------|---|-----------------------------------|
| STATE OF SOUTH DAKOTA, EX REL. |) | 32CIV18-125 |
| LARRY DEITER, DIRECTOR OF |) | |
| INSURANCE OF THE STATE OF SOUTH |) | |
| DAKOTA, |) | ORDER TERMINATING RELIAMAX |
| Petitioner, |) | SURETY COMPANY LIQUIDATION |
| |) | PROCEEDINGS AND |
| v. |) | DISCHARGING THE LIQUIDATOR |
| |) | |
| RELIAMAX SURETY COMPANY, |) | |
| Respondent. |) | |
| |) | |
| |) | |

This matter came for consideration on the application of Larry Deiter, Director of Insurance for South Dakota, acting as Liquidator of ReliaMax Surety Company pursuant to SDCL Ch. 58-29B (“the Liquidator”), for an Order to Terminate Liquidation Proceedings and Discharge the Liquidator as contained in his Application No. 29 (hereinafter “Application No. 29”). The Court has reviewed Application No. 29 and its Exhibits.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

1. The liquidation proceedings regarding ReliaMax Surety Company (“ReliaMax Surety”) as conducted under the supervision of this Court pursuant to SDCL Ch. 58-29B (“the Liquidation Act”) are hereby terminated effective with the entry to this Order;
2. The Final Distribution amounts for the liquidation estate to be paid to those individuals and entities as contained in Exhibit A, incorporated herein by reference, is hereby approved by the Court. The Liquidator need not seek Court approval to pay to the service providers the accrued and estimated expenses shown on Exhibit B, Page 1, and no further order of the Court is required to pay the final administrative expenses incident to the termination of the ReliaMax Surety liquidation proceedings. Final Distributions paid according to Exhibit B, Page 1, to the service providers satisfy all claims regardless of whether the actual amounts that might be owed to them are more or less than the estimated amounts shown.
3. The pro forma closing accounting for ReliaMax Surety for the period ending on the effective date of the Court’s order terminating ReliaMax Surety liquidation proceedings

as contained in Exhibit B, Page 1, is approved by the Court and incorporated herein by reference;

4. Following the Final Distribution of ReliaMax Surety assets, the Liquidator will prepare and file with the Court the Closing Accounting with the Court to reflect the Final Distribution as actually disbursed;
5. This Court discharges and exonerates the Liquidator, Special Deputy Liquidator, and the employees, contractors, agents, assistants, clerks, attorneys, accountants and representatives providing services in the liquidation of ReliaMax Surety (“discharged persons”) from any and all further liability to ReliaMax Surety, its creditors, claimants, shareholders, policyholders, and the liquidation estate. All persons are enjoined from commencing or prosecuting, without leave of this Court, any action or proceeding against the discharged persons in connection with or arising out of their service to the Court in these liquidation proceedings. The injunction is an extension of the injunction contained in the Liquidation Order. The termination of the ReliaMax Surety liquidation does not terminate the injunction contained in the Liquidation Order, and any person desiring to commence or prosecute an action against the Liquidator, or any other discharged person is enjoined from doing so absent leave of this Court. This Court retains jurisdiction for the purpose of enforcing its injunction. All actions by the discharged persons in connection with or arising out of the ReliaMax Surety liquidation proceedings have been conducted pursuant to the Liquidation Act and under the direction and supervision of the Court;
6. The Liquidator’s plan for the disposal of unclaimed property held by the estate is hereby approved by this Court;
7. The Liquidator’s plan for the disposal of the records of ReliaMax Surety following Final Distributions as contained in Application No. 29 is hereby approved by the Court pursuant to SDCL 58-29B-132;
8. The Liquidator’s petition to dissolve ReliaMax Surety Company is granted. ReliaMax Surety Company is hereby dissolved pursuant to SDCL 58-29B-48; and
9. These proceedings are terminated.

DATED this 9/25/2023 11:46:17 AM

BY THE COURT:



The Honorable Bobbi Rank
Sixth Circuit Court Judge

Attest:
Deuter-Cross, TaraJo
Clerk/Deputy

