

FILED
08-05-2025
CIRCUIT COURT
DANE COUNTY, WI
2023CV001310

STATE OF WISCONSIN : CIRCUIT COURT : DANE COUNTY
BRANCH 15

In the Matter of the Liquidation of:

Case No. 2023CV1310

Wisconsin Reinsurance Corporation and 1st Auto &
Casualty Insurance Company

Case Code: 30703

NOTICE OF MOTION AND MOTION TO APPROVE PURCHASE AGREEMENT

TO: All Interested Parties

NOTICE

PLEASE TAKE NOTICE that the Commissioner of Insurance of the State of Wisconsin, Nathan Houdek, as Liquidator of Wisconsin Reinsurance Corporation and 1st Auto & Casualty Insurance Company (the “Commissioner” or the “Liquidator”), brings this Motion to Approve Purchase Agreement (the “Motion”) for hearing, if necessary, before the Circuit Court for Dane County, in the Dane County Courthouse, 215 S. Hamilton Street, Madison, WI 53703-3285, on a date and at a time to be determined by the Court. Objections to the Motion, along with supporting documentation, shall be filed with the Court and served on the Commissioner, by his attorneys, James A. Friedman, Zachary P. Bemis, and Anthony S. Baish of Godfrey & Kahn, S.C., and any other party who has filed an appearance in this action within 14 days of the filing of the Motion.

MOTION

Nathan Houdek, Commissioner of Insurance of the State of Wisconsin, as Liquidator of Wisconsin Reinsurance Corporation (“WRC”) and 1st Auto & Casualty Insurance Company (“1st Auto” and collectively, the “Companies”), hereby moves the Court, pursuant to Wis. Stat.

§ 645.46(9), to enter an Order approving the Purchase Agreement attached hereto as Exhibit A.

As grounds for this Motion, the Commissioner states as follows:

1. On June 21, 2023, the Court entered an order placing the Companies into rehabilitation, and on July 27, 2023, the Court approved a Rehabilitation Plan for the Companies.

2. On November 1, 2023, the Commissioner filed a petition to terminate the rehabilitation and requested an order to place the Companies into liquidation. The Court granted the petition on January 2, 2024 (the “Liquidation Order”), placing the Companies into liquidation effective January 1, 2024.

3. The Liquidation Order appointed the Commissioner as Liquidator of the Companies and Justin Schrader of Noble Consulting Services, Inc. as Special Deputy Liquidator, each with all the powers and protections set forth in chapter 645 of the Wisconsin Statutes.

4. Wis. Stat. § 645.46(7) authorizes the Liquidator to “[c]onduct public and private sales of the property of the insurer in a manner prescribed by the court.” Wis. Stat. § 645.46(9) provides that the Liquidator may “sell, transfer . . . or otherwise dispose of or deal with any property of the insurer at its market value or upon fair and reasonable terms and conditions,” subject to the approval of the Court for transactions involving property with a market value greater than \$10,000.

5. WRC owns real property located at 2810 City View Drive, 3030 City View Drive, and 2901 Crossroads Drive, all in Madison, Wisconsin (collectively, the “Property”).

6. On January 24, 2024, the Liquidator engaged the services of a real estate broker to market the Property to potential purchasers.

7. After several unsuccessful attempts to sell the Property, the Liquidator now has negotiated an agreement (the “Purchase Agreement”) to sell the Property to Associated Builders

and Contractors, Inc. Apprenticeship and Training Trust for a total purchase price of \$3,400,000. The Liquidator negotiated the Purchase Agreement through an arms-length transaction with the assistance of the real estate broker and legal counsel.

8. Section 7.14 of the Purchase Agreement conditions all rights and obligations under the Purchase Agreement on approval of the Court.

9. It is the judgment of the Liquidator that the terms and conditions of the Purchase Agreement are fair and reasonable, and that consummation of the sale of the Property will increase the claims-paying resources of the liquidation estate and will inure to the benefit of claimants and the general public.

NOW, THEREFORE, for the reasons stated above and based on the entire record in this action, the Liquidator asks the Court to enter an order approving the Purchase Agreement.

Dated at Madison, Wisconsin this 5th day of August, 2025.

Respectfully submitted,

GODFREY & KAHN, S.C.

By: Electronically signed by Anthony S. Baish

James A. Friedman
State Bar No. 1020756
Zachary P. Bemis
State Bar No. 1094291
Anthony S. Baish
State Bar No. 1031577

*Attorneys for Petitioner Nathan Houdek,
Commissioner of Insurance of the State of
Wisconsin*

One East Main Street, Suite 500
P.O. Box 2719
Madison, WI 53701-2719
Phone: 608-257-3911
Fax: 608-257-0609
jfriedman@gklaw.com
zbemis@gklaw.com
tbaish@gklaw.com

36199188.2