

FILED
07-11-2023
CIRCUIT COURT
DANE COUNTY, WI
2023CV001310

STATE OF WISCONSIN : CIRCUIT COURT : DANE COUNTY
BRANCH 15

In the Matter of the Rehabilitation of:

Wisconsin Reinsurance Corporation and 1st Auto &
Casualty Insurance Company
c/o: Office of the Commissioner of Insurance
125 South Webster Street
Madison, WI 53703

Case No. 2023CV1310

Case Code: 30703

**NOTICE OF MOTION AND MOTION FOR APPROVAL OF
REHABILITATION PLAN**

TO: All Interested Parties

NOTICE

PLEASE TAKE NOTICE that the Commissioner of Insurance of the State of Wisconsin, Nathan Houdek, as Rehabilitator of Wisconsin Reinsurance Corporation and 1st Auto & Casualty Insurance Company (the “Commissioner” or the “Rehabilitator”), brings this Motion for Approval of Rehabilitation Plan (the “Motion”) for hearing, if necessary, before the Circuit Court of 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 and Zachary P. Bemis 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 Rehabilitator 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. §645.33(5) and chapter 645, in general, to enter an Order approving the Rehabilitation Plan for the Companies, which the Commissioner is filing contemporaneously with this Motion. As grounds for this Motion, the Commissioner states as follows:

1. On May 23, 2023, the Commissioner filed in this Court a Verified Petition for Order for Rehabilitation of the Companies (the “Rehabilitation Petition”).

2. On June 21, 2023, the Court issued a Rehabilitation Order granting the Rehabilitation Petition and placing the Companies in rehabilitation. The Rehabilitation Order appointed the Commissioner as Rehabilitator of the Companies and granted the Rehabilitator the full powers and authority granted pursuant to Wis. Stat. §§ 645.33 to 645.35 to reform and revitalize the Companies, and all other applicable laws, as are reasonable and necessary to fulfill his duties and responsibilities under the Rehabilitation Order.

3. The Rehabilitation Order further directed that the Rehabilitator file a Rehabilitation Plan with this Court within 45 days.

4. Pursuant to the Rehabilitation Order and Wis. Stat. § 645.33(5), the Rehabilitator submits the Rehabilitation Plan for approval of the Court. The Rehabilitator believes that the Rehabilitation Plan is in the best interests of the Companies’ policyholders and the public and is “necessary [and] expedient to reform and revitalize” the Companies. Wis. Stat. § 645.33(2).

5. Under the Rehabilitation Plan, WRC and First Auto intend to begin defending and paying policy claims promptly. Hence, the Companies also move the Court to order that the time

period for the injunctive relief set forth in paragraph 13 of the June 21, 2023 Order for Rehabilitation be shortened to 30 days from the date of this Order.

NOW, THEREFORE, for the reasons stated above and based on the entire record in this action, the Rehabilitator asks the Court to enter an order approving the Rehabilitation Plan for the Companies.

Dated at Madison, Wisconsin this 11th day of July, 2023.

Respectfully submitted,

GODFREY & KAHN, S.C.

By: Electronically signed by James A. Friedman
James A. Friedman
State Bar No. 1020756
Zachary P. Bemis
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