

19TH JUDICIAL DISTRICT COURT
 STATE OF LOUISIANA
 PARISH OF EAST BATON ROUGE

JAMES J. DONELON,
 COMMISSIONER OF INSURANCE
 FOR THE STATE OF LOUISIANA

Plaintiff,

Versus

LIGHTHOUSE HOLDINGS GROUP,
 LLC, LIGHTHOUSE PROPERTY
 INSURANCE CORPORATION,
 LIGHTHOUSE EXCALIBUR
 INSURANCE COMPANY, DIMINO
 HOLDINGS GROUP, LLC, TWIMG,
 LLC, LIGHTHOUSE MANAGEMENT,
 LLC, LIGHTHOUSE MANAGERS
 GROUP, LLC, LIGHTHOUSE
 MANAGING AGENT SERVICES, LLC,
 PREPARED MANAGERS, LLC, and
 LIGHTHOUSE GULFCOAST
 MANAGEMENT, LLC

Defendants

* NUMBER: 717,274
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 * SECTION: 26
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**UNOPPOSED MOTION FOR THE ENTRY OF A CONSENT ORDER OF
 LIQUIDATION OF LIGHTHOUSE EXCALIBUR INSURANCE COMPANY,
 AND A FINDING OF INSOLVENCY**

[NOTE, Lighthouse Property Insurance Corporation (“Lighthouse Property Insurance”) was placed in liquidation by Order dated April 28, 2022; FURTHER NOTE, Lighthouse Holdings Group, LLC (“Lighthouse Holdings”), Dimino Holdings Group, LLC (“Dimino Holdings”), TWIMG, LLC (“TWIMG”), Lighthouse Management, LLC (“Lighthouse Management”), Lighthouse Managers Group, LLC (“Lighthouse Managers”), Lighthouse Managing Agent Services, LLC (“Lighthouse Managing Agent”), Prepared Managers, LLC (“Prepared Managers”), and Lighthouse Gulfcoast Management, LLC (“Lighthouse Gulfcoast,”) are NOT the subjects of this motion.]

NOW INTO COURT, through undersigned counsel, comes James J. Donelon, Commissioner of Insurance for the State of Louisiana (“Commissioner” or “Rehabilitator” or “Liquidator”), as Liquidator of Lighthouse Property Insurance, and as Rehabilitator of Lighthouse Excalibur Insurance Company (“Lighthouse Excalibur Insurance”), and as Rehabilitator of Lighthouse Holdings, Dimino Holdings, TWIMG, Lighthouse Management, Lighthouse Managers, Lighthouse Managing Agent, Prepared Managers, and Lighthouse Gulfcoast (collectively “Related Insurance Entities”), through his delegated and court-appointed Receiver, Billy J. Bostick (“Receiver”), who respectfully requests an order for the liquidation of Lighthouse

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Excalibur Insurance and a finding of insolvency. The Related Insurance Entities in rehabilitation are not the subjects of this motion for liquidation.

1.

On April 5, 2022, this Court issued an order placing Lighthouse Property Insurance, Lighthouse Excalibur Insurance, and the Related Insurance Entities in rehabilitation and appointing the Commissioner as Rehabilitator, and Billy J. Bostick as Receiver of Lighthouse Property Insurance, Lighthouse Excalibur Insurance, and the Related Insurance Entities in accordance with La. R.S. 22:2001, et seq. (“**Order of Rehabilitation**”).

2.

La. R.S. 22:2009 provides in part that “[i]f at any time the commissioner of insurance shall find that further efforts to rehabilitate the insurer would be futile and would result in loss to the creditors, policyholders, stockholders or any other persons interested, he may apply to the court in the same proceeding for an order directing the liquidation of the property, business and affairs of such insurer.” La. R.S. 22:2009(C).

3.

Consequently, on April 28, 2022, this Court issued an order placing Lighthouse Excalibur Insurance’s immediate parent, Lighthouse Property Insurance, in liquidation and appointing the Commissioner as Liquidator, and Billy J. Bostick as Receiver of Lighthouse Property Insurance in accordance with La. R.S. 22:2001, et seq. (“**Lighthouse Property Insurance Liquidation Order**”).

4.

As of April 5, 2022, Lighthouse Excalibur Insurance’s liabilities substantially exceeded its admitted assets plus capital and surplus, and Lighthouse Excalibur Insurance remains unable to pay its obligations when due. Consequently, Lighthouse Excalibur Insurance is insolvent within the meaning of La. R.S. 22:2003(3), and liquidation is proper under La. R.S. 22:2005. The liquidation of Lighthouse Excalibur Insurance is also warranted by La. R.S. 22:2009, as the company is unable to continue business as an insurer, and further efforts to rehabilitate Lighthouse Excalibur Insurance would be futile, wasteful and harmful to Lighthouse Excalibur Insurance’s creditors and policyholders. See the Affidavit and Verification of Stewart Guerin, the Deputy

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Commissioner of the Office of Financial Solvency for the Department of Insurance, State of Louisiana, which is attached hereto as Exhibit A.

5.

The former directors and officers of Lighthouse Excalibur Insurance have been consulted and, through counsel, Patrick L. White, its former President & CEO and Director, has represented that the former members of Lighthouse Excalibur Insurance's Board of Directors and its sole shareholder, Lighthouse Property Insurance, and its sole shareholder, Lighthouse Holdings, consent to the liquidation of Lighthouse Excalibur Insurance. Copies of counsel's emails dated **May 9, 2022**, are attached as Exhibit B.

6.

Moreover, Intervenor, Silver Rock Tactical Allocation Fund, LP ("**Silver Rock Cayman Islands**"), Silver Rock Contingent Credit Fund, LP ("**Silver Rock Delaware**"), and HT Investments, LLC ("**HT Delaware**"), have been consulted and undersigned counsel does not believe these companies have objection to the liquidation of Lighthouse Excalibur Insurance.

7.

The Commissioner respectfully requests an order finding Lighthouse Excalibur Insurance to be insolvent and directing the Commissioner to liquidate Lighthouse Excalibur Insurance in accordance with Louisiana law. The specific relief sought by this motion is set forth in the proposed "Order of Liquidation of Lighthouse Excalibur Insurance Company, with a Finding of Insolvency" accompanying this motion.

WHEREFORE, James J. Donelon, Commissioner of Insurance for the State of Louisiana, as Rehabilitator of Lighthouse Excalibur Insurance Company, through his delegated and court-appointed Receiver, Billy J. Bostick, prays that this Court grant this motion and issue an order for the liquidation of Lighthouse Excalibur Insurance Company, and a finding of insolvency, as requested herein.

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Respectfully submitted,

TAYLOR, PORTER, BROOKS & PHILLIPS L.L.P.

By: 

John Ashley Moore, LBRN 09635
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*Attorneys for the Rehabilitator and Receiver of
Lighthouse Excalibur Insurance Company*

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*Attorney for James J. Donelon, Commissioner of
Insurance for the State of Louisiana*

PLEASE SERVE:
Lighthouse Excalibur Insurance Company,
through its agent for service of process:
C T Corporation System
3867 Plaza Tower Dr.
Baton Rouge, LA 70816

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **UNOPPOSED MOTION FOR ENTRY OF A CONSENT ORDER OF LIQUIDATION OF LIGHTHOUSE EXCALIBUR INSURANCE COMPANY, AND A FINDING OF INSOLVENCY** was this day sent via electronic mail and/or facsimile to all counsel of record, as follows:

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Lafleur Laborde LLC
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Baton Rouge, Louisiana, this 17th day of May 2022.




John Ashley Moore

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19TH JUDICIAL DISTRICT COURT

STATE OF LOUISIANA

PARISH OF EAST BATON ROUGE

JAMES J. DONELON,
COMMISSIONER OF INSURANCE
FOR THE STATE OF LOUISIANA

Plaintiff,

Versus

LIGHTHOUSE HOLDINGS GROUP,
LLC, LIGHTHOUSE PROPERTY
INSURANCE CORPORATION,
LIGHTHOUSE EXCALIBUR
INSURANCE COMPANY, DIMINO
HOLDINGS GROUP, LLC, TWIMG,
LLC, LIGHTHOUSE MANAGEMENT,
LLC, LIGHTHOUSE MANAGERS
GROUP, LLC, LIGHTHOUSE
MANAGING AGENT SERVICES,
LLC, PREPARED MANAGERS, LLC,
and LIGHTHOUSE GULFCOAST
MANAGEMENT, LLC

Defendants

* NUMBER: 717,274

* SECTION: 26

ORDER OF LIQUIDATION OF LIGHTHOUSE EXCALIBUR INSURANCE
COMPANY, WITH A FINDING OF INSOLVENCY

CONSIDERING the Unopposed Motion for Entry of a Consent Order of Liquidation filed by James J. Donelon, Commissioner of Insurance for the State of Louisiana (“**Commissioner**” or “**Rehabilitator**”) in his capacity as Rehabilitator of Lighthouse Excalibur Insurance Company (“**Lighthouse Excalibur Insurance**”), pursuant to La. R.S. 22:2009, the exhibits attached thereto, the Order of Rehabilitation entered on April 5, 2022, the Order of Liquidation of Lighthouse Property Insurance Corporation (“**Lighthouse Property Insurance**”), which is the immediate parent of Lighthouse Excalibur Insurance, with a Finding of Insolvency, entered on April 28, 2022 (“**Lighthouse Property Insurance Liquidation Order**”), the arguments of counsel, the record herein, and the law and evidence entitling the Rehabilitator to the relief sought therein, and finding that Lighthouse Excalibur Insurance is insolvent within the meaning of La. R.S. 22:2003(3); that further efforts to rehabilitate Lighthouse Excalibur Insurance would be futile and would result in further loss to Lighthouse Excalibur Insurance’s creditors and policyholders; that the law and



evidence favor granting the relief requested by the Commissioner herein; and the former members of the Board of Directors of Lighthouse Excalibur Insurance and its sole shareholder, Lighthouse Property Insurance, and its sole shareholder, Lighthouse Holdings Group, LLC, have no objection to the entry of this Order of Liquidation:

IT IS ORDERED, ADJUDGED, AND DECREED that the Commissioner's motion is **GRANTED**; an Order of Liquidation with a Finding of Insolvency is hereby entered against Lighthouse Excalibur Insurance;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Commissioner is appointed as Liquidator, Billy J. Bostick is appointed as Receiver, and Frank W. McNabb is appointed as Deputy Receiver, of Lighthouse Excalibur Insurance with all of the powers and authority provided by law and are directed to liquidate the property, business and affairs of Lighthouse Excalibur Insurance in accordance with La. R.S. 22: 2001, *et seq.*;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Commissioner and his successor and successors in office became vested by operation of law with the title to all property, contracts, and rights of action of Lighthouse Excalibur Insurance as of April 5, 2022;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all of the contracts, covenants, bonds or policies, evidences, or certificates of coverage or insurance issued by or in the name of Lighthouse Excalibur Insurance, shall be cancelled as follows:

(a) All insurance policies issued by Lighthouse Excalibur Insurance in the state of Louisiana are cancelled upon the earlier of (i) thirty (30) days after the date this Order of Liquidation is entered, at 12:01 a.m. local time of the insured or policyholder of such direct policy or certificate of insurance; (ii) the expiration date of any such direct policy and/or certificate of insurance for which timely notice was given by Lighthouse Excalibur Insurance, if the expiration date is sooner than thirty (30) days after the entry of this Order of Liquidation; or (iii) the date the insured or policyholder of any such direct policy and/or certificate of insurance replaces the direct policy and/or certificate of insurance, or effects cancellation, if the insured or policyholder does so within thirty (30) days after the entry of this Order of Liquidation; and,



(b) All executory contracts of Lighthouse Excalibur Insurance may be enforced, cancelled or modified by the Liquidator or Receiver in their discretion or as otherwise ordered by this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the rights and liabilities of Lighthouse Excalibur Insurance and of its creditors, except those holding contingent claims, and of its policyholders, stockholders, or members and of all other persons interested in its assets shall, unless otherwise ordered by this court, be fixed as of the date of the entry of the Lighthouse Property Insurance Liquidation Order; the rights of claimants holding contingent claims on the date of the entry of this Order shall be determined in accordance with La. R.S. 22:2001, et seq.;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Liquidator and the Receiver shall notify every holder of a certificate of coverage or contract of insurance issued by Lighthouse Excalibur Insurance in the state of Louisiana, and every known creditor of Lighthouse Excalibur Insurance, of this Order of Liquidation within sixty (60) days of the date of this Order, notwithstanding the provisions of La. R.S. 22:2010 and 22:2011;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Liquidator and the Receiver are authorized to notify persons who may have claims against Lighthouse Excalibur Insurance pursuant to La. R.S. 22:2027 in the following manner:

(a) By sending notice to all persons who, according to Lighthouse Excalibur Insurance's books and records, have or may have claims against Lighthouse Excalibur Insurance, its property or assets to present and file with the Receiver proper, completed proofs of claim in the form required by this Order on or before 4:30 p.m. CDT on September 18, 2022, at a place specified in the notice. Said notice by the Liquidator shall specify September 18, 2022, at 4:30 p.m. CDT, to be the last day by which a proof of claim may be received by the Receiver for purposes of participating in any distribution of assets that may be made on timely filed claims that are allowed in these proceedings ("**Claim-Filing Deadline**");

(b) By providing notice to all persons who have or may have claims against Lighthouse Excalibur Insurance, its property or assets by publication in the Baton Rouge Advocate, and any



other publications as deemed necessary by the Receiver; the published notice shall: (1) advise all such persons of their right to present their claim or claims against Lighthouse Excalibur Insurance, its property or assets to the Receiver; (2) advise all such persons of the procedure by which they may present their claims to the Receiver; (3) advise all such persons of the location of the Receiver's office where they must present their claims; and (4) specify the Claim-filing Deadline for purposes of participating in any distribution of assets that may be made on timely filed claims allowed in these proceedings;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all persons having, or claiming to have, any accounts, debts, claims or demands against Lighthouse Excalibur Insurance, its property or assets shall present their claims to the Receiver at the place specified in the notice, on or before the Claim-Filing Deadline, by way of a properly completed proof of claim; a proof of claim must consist of a statement, under oath, in writing, signed by the claimant, setting forth the following: (1) the specific claim and the consideration provided; (2) whether any payments have been made on the claim, and, if so, what payments; and (3) that the sum claimed is justly owing from Lighthouse Excalibur Insurance to the claimant; whenever a claim is founded upon an instrument in writing, such instrument, unless lost or destroyed, shall be filed with the proof of claim and, if such instrument is lost or destroyed, a statement of such fact and the circumstances of the loss or destruction shall be filed under oath with the claim; if the claim is secured, the claimant shall identify the claim as a secured claim and shall list all security held;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Liquidator, the Receiver, and the Deputy Receiver are granted all powers and authority afforded to them by La. R.S. 22:2001, *et seq.*, and other applicable law, including the following:

- (a) To liquidate the property, business and affairs of Lighthouse Excalibur Insurance;
- (b) To deal with the property and business of Lighthouse Excalibur Insurance in his name as Commissioner of Insurance, in the name of the Receiver, or in the name of Lighthouse Excalibur Insurance;
- (c) To sell or otherwise dispose of the property, or any part thereof, of Lighthouse Excalibur Insurance;
- (d) To sell or compromise all doubtful or uncollectible debts or claims owing to or by Lighthouse Excalibur Insurance;



Handwritten signature of Paul D. Dugas.

- (e) To avoid preferences and liens;
- (f) To avoid fraudulent transfers;
- (g) To audit the books and records of all agents, including producers, of Lighthouse Excalibur Insurance insofar as those records relate to the business activities of Lighthouse Excalibur Insurance;
- (h) To enter into agreements or contracts as necessary to carry out the order to liquidate;
- (i) To affirm or disavow any contracts to which Lighthouse Excalibur Insurance is a party;
- (j) All powers and authority conferred to the Commissioner as Rehabilitator, the Receiver and the Deputy Receiver in the Order of Rehabilitation to the extent such powers and authority do not conflict with this Order of Liquidation or Louisiana law governing the liquidation of insurers;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Liquidator and the Receiver are authorized to coordinate the operation of the Receivership with the Louisiana Insurance Guaranty Association (“LIGA”) and, in the Liquidator and the Receiver’s discretion, to enter into such contracts with LIGA as may be required to effectuate the liquidation of Lighthouse Excalibur Insurance;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all individuals and entities are enjoined and stayed from obtaining preferences, attachments, or other like liens or the making of any levy against Lighthouse Excalibur Insurance, its property or assets until further order of this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all individuals and entities are enjoined from instituting or taking further action in any suit or proceeding, and from pursuing, obtaining or executing a judgment, against Lighthouse Excalibur Insurance, its property, or assets, the Commissioner in his capacity as Liquidator of Lighthouse Excalibur Insurance, the Receiver, and the Deputy Receiver, except with the concurrence of the Liquidator, Receiver or Deputy Receiver or until further written order of this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all suits, proceedings, seizures and any other legal actions against Lighthouse Excalibur Insurance or its policyholders, or relating to Lighthouse Excalibur Insurance's possible obligation to provide a defense to any party in any court pursuant to any policy of insurance or certificate of coverage



Paul Depp

issued or assumed by Lighthouse Excalibur Insurance, or the ownership, operations, management, or control of Lighthouse Excalibur Insurance, except with the concurrence of the Liquidator, Receiver or Deputy Receiver or until further written order of this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that there shall be no liability on the part of, and no cause of action of any nature shall exist against, the Louisiana Department of Insurance or its employees, the Commissioner as Liquidator, the Receiver, the Deputy Receiver, their assistants, contractors, or attorneys; or the Attorney General's office for any action taken by them in performance of their powers and duties under the law;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all individuals and entities are enjoined from interfering with these proceedings, the conduct of the business of Lighthouse Excalibur Insurance by the Liquidator, Receiver or Deputy Receiver, and their management, possession and control of Lighthouse Excalibur Insurance or any title, rights or interest therein, and from wasting the assets of Lighthouse Excalibur Insurance, until further order of this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Commissioner as Liquidator, the Receiver, and the Deputy Receiver shall be granted all legal and equitable relief as may be necessary to fulfill their duties and for such other relief as the nature of the case and the interest of Lighthouse Excalibur Insurance or its policyholders, creditors, or the public, may require; and except as expressly provided herein, nothing in this Order shall limit the powers, authority and protections granted to the Liquidator, Receiver or Deputy Receiver in connection with this proceeding under Louisiana law;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all provisions set forth in this Court's prior orders issued in this proceeding, including the Order of Rehabilitation issued April 5, 2022, shall remain in full force and effect to the extent they do not conflict with this Order of Liquidation or Louisiana law governing the liquidation of insurers;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Commissioner and the Receiver may require that any company which contributed capital to Lighthouse Excalibur Insurance, either directly or through a related holding or management company, since January 1,




A handwritten signature in black ink, appearing to read "Paul Dejeu".

2021, including but not limited to, Lighthouse Holdings Group, LLC, Lighthouse Management, LLC, IPG LLC of Delaware, and Gamma Financial Group, shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, who shall be examined in Baton Rouge, Louisiana, at the office of counsel for the Commissioner and the Receiver, and testify as to all matters known or reasonably available to the organization, regarding all aspects of these proceedings, and shall produce in connection therewith full and complete documentation regarding all sources of capital contribution to Lighthouse Excalibur Insurance since January 1, 2021, associated debt service and cost of capital, and security granted; and,

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Billy Bostick, Robert Crawford, Cara Bostick, Frank McNabb, Philip D'Antonio, Nathan Strebeck, Norie Falgoust, Heath Soileau, and Donna Jones be and each is hereby appointed as a private process server of any rehabilitation, liquidation, or related order issued in this proceeding, which service may be by national express carrier or U.S. Certified Mail, return receipt requested.

SO ORDERED, READ AND SIGNED at Baton Rouge, Louisiana, this 23 day of May, 2022.



Honorable Richard "Chip" Moore, III
Judge, 19th Judicial District Court

Order submitted by:
By Attorneys,
TAYLOR, PORTER, BROOKS & PHILLIPS L.L.P.
John Ashley Moore (LBRN 09635)
450 Laurel Street, 8th floor (70801)
P.O. Box 2471
Baton Rouge, Louisiana 70821
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THIS ORDER IS ISSUED IN CONNECTION WITH THE UNOPPOSED MOTION OF JAMES J. DONELON, COMMISSIONER OF INSURANCE FOR THE STATE OF LOUISIANA IN HIS CAPACITY AS REHABILITATOR, FOR ENTRY OF A CONSENT ORDER OF LIQUIDATION OF LIGHTHOUSE EXCALIBUR INSURANCE COMPANY, AND A FINDING OF INSOLVENCY.

