

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

NOV - 9 2023

RICK WARREN
COURT CLERK

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STATE OF OKLAHOMA, ex rel.)
GLEN MULREADY, Insurance)
Commissioner,)
)
Plaintiff,)

v.)

Case No. CJ-2023- 6377

GO INSURANCE COMPANY, fka)
PEACHTREE CASUALTY)
INSURANCE COMPANY, a licensed)
property and casualty insurer in the)
State of Oklahoma,)

Defendant.

**ORDER DIRECTING INSURER TO SHOW CAUSE
AND ALLOWING INJUNCTIVE RELIEF**

Before the Court is the Oklahoma Insurance Commissioner’s Application for Order Directing Insurer to Show Cause and for Injunctive Relief. This Application requests the Court: (1) enter an order directing Go Insurance Company, formerly known as Peachtree Casualty Insurance Company, (“Go Insurance” or “Company”) to show cause why an order of receivership should not be entered against Go Insurance, (2) enter an order immediately appointing the Insurance Commissioner as Temporary Receiver pending full hearing, and (3) issue a temporary injunction. The Court, having examined such Application, and being well advised in the premises, finds as follows:

1. Glen Mulready is the duly elected and acting Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing the Oklahoma Insurance Code. *See* Okla. Const. art. VI, § 22; 36 O.S. § 307.

2. The Insurance Commissioner has the authority to appear in the District Court to make application for an order directing the insurer to show cause why an order of receivership should not be entered and a Receiver appointed. *See* 36 O.S. § 1903.

3. The Court has jurisdiction over this matter pursuant to 36 O.S. § 1902(A), which gives the District Court exclusive original jurisdiction of such proceedings against any insurer.

4. Venue is proper in the District Court within Oklahoma County pursuant to 36 O.S. § 1902(F).

5. Go Insurance is an Oklahoma domestic property and casualty insurer licensed to transact the business of insurance under the laws of the State of Oklahoma and holding license number 44194518 and NAIC Code Number 25755.

6. The Insurance Commissioner has alleged that Go Insurance is insolvent and impaired and in a condition such that the continued operation would be hazardous to the policyholders, the creditors of the insurer, or the general public. The Insurance Commissioner has alleged that Go Insurance has failed to increase its capital and surplus to a level required by law.

THEREFORE, Go Insurance's continued operation is hazardous to its policyholders, creditors, and the general public. Accordingly, the Court concludes that, under 36 O.S. § 1905, the Insurance Commissioner may apply to the District Court for an order appointing the Insurance Commissioner as Receiver of Go Insurance upon the grounds specified above. Furthermore, the Court concludes that 36 O.S. § 1904(A) allows the Insurance Commissioner to seek certain injunctive relief without notice.

IT IS THEREFORE ORDERED AND DECREED that Go Insurance shall appear at a hearing before the Court on the 29th day of December, 2023, at 10:00 A.m. to show cause why an order of receivership should not be entered, why the Insurance

Commissioner should not be appointed as Receiver of and for Go Insurance, why Donna Wilson should not be appointed as Assistant Receiver, why the law firm of Riggs, Abney, Neal, Turpen, Orbison and Lewis should not be appointed as Counsel for the Receiver, and why Go Insurance's deposit to the Oklahoma Insurance Department should not be released to the Receiver. Pending this hearing, Donna Wilson is hereby appointed as Assistant Receiver to begin marshalling Go Insurance's assets and to ensure that this Order is complied with. It is further ordered that the law firm Riggs, Abney, Neal, Turpen, Orbison and Lewis is hereby appointed as Counsel for the Receiver.

IT IS FURTHER ORDERED AND DECREED that Go Insurance, its officers, directors, stockholders, members, subscribers, agents, and all other persons are hereby enjoined and prohibited from wasting and disposing of Go Insurance's assets until further order of the Court; that all persons and entities are enjoined and prohibited from interfering with the Insurance Commissioner or these proceedings; and that all persons and entities are enjoined and prohibited from wasting the assets of Go Insurance, commencing or prosecuting any actions against Go Insurance, obtaining any preferences, judgments, attachments, or other liens against Go Insurance, or making any levy against Go Insurance or its assets or any part thereof.

IT IS FURTHER ORDERED AND DECREED that Glen Mulready, Insurance Commissioner, take possession of Go Insurance property and to conduct the business thereof, and to take such steps to remove the causes and conditions which have made this action necessary as the Court may direct after hearing. Therefore, the Court directs that any person, business, corporation, or other legal entity of any kind that has property, assets, or anything of Go Insurance in its possession return it to the Insurance Commissioner immediately.

Signed and entered this 9th day of November, 2023.

SHEILA D. STINSON

JUDGE OF THE DISTRICT COURT

CERTIFIED COPY
AS FILED OF RECORD
IN DISTRICT COURT

NOV -9 2023

RICK WARREN COURT CLERK
Oklahoma County

Rick Warren
