

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
Civil Division

DISTRICT OF COLUMBIA,
a Municipal Corporation,

Petitioner,

v.

OCEAN RISK RETENTION GROUP,
INC.

Respondent.

Civil Action No.: 13-6110 2
Judge: Bartnoff
Calendar No.: 15
Next Event: TBA

**LIQUIDATOR'S MOTION FOR THIRD ORDER APPROVING DISTRIBUTION OF
GENERAL ASSETS OF OCEAN RISK RETENTION GROUP, INC.**

The District of Columbia, at the request of and on behalf of Stephen C. Taylor,¹ Acting Commissioner of the District of Columbia Department of Insurance, Securities and Banking (the Department), as Liquidator of Ocean Risk Retention Group, Inc. (Ocean), and his Special Deputy Liquidator, Robert H. Myers, Jr., by and through the Office of the Attorney General for the District of Columbia, moves the Court for an order approving the distribution of Ocean's general assets totaling **\$236,460.88** for the fair and reasonable compensation of the Special Deputy Liquidator and his counsel and assistants at Morris Manning & Martin, LLP for their services from September 1, 2014 through August 31, 2015. For the reasons stated more fully in the Memorandum of Points and Authorities, incorporated herein by reference, the Petitioner therefore requests that the Court enter the attached order.

¹ Effective June 19, 2015, Stephen C. Taylor became Acting Commissioner for the D.C. Department of Insurance, Securities and Banking. Because the September 6, 2013 Emergency Consent Order of Liquidation for Ocean appointed "the Commissioner and his successors in office" as Ocean's Liquidator, Acting Commissioner Taylor is now the Liquidator for Ocean Risk Retention Group, Inc.

Respectfully submitted,

KARL A. RACINE
Attorney General for District of Columbia

ELIZABETH SARAH GERE
Acting Deputy Attorney General
Public Interest Division

/s/ **Eric S. Glover**
ERIC S. GLOVER
Chief, Civil Enforcement Section

/s/ **E. Louise R. Phillips**
E. LOUISE R. PHILLIPS
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CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of October, 2015, a copy of Liquidator's Motion for Third Order Approving Distribution of General Assets of Ocean Risk Retention Group, Inc., a copy of the supporting Memorandum of Points and Authorities, and a copy of the proposed Order was served by email or CaseFileXpress upon:

Stephen C. Taylor, Liquidator
for Ocean Risk Retention Group, Inc.
c/o Stephanie Schmelz
District of Columbia Department of Insurance,
Securities and Banking, Office of the General Counsel
810 First St., NE, Suite 701
Washington, D.C. 20002
Stephanie.Schmelz@dc.gov

Robert H. Myers Jr.
Special Deputy Liquidator
for Ocean Risk Retention Group, Inc.
Morris, Manning & Martin, LLC
1401 Eye Street, N.W.
Washington, D.C. 20005
rhm@mmmlaw.com

/s/ E. Louise R. Phillips
E. LOUISE R. PHILLIPS
Assistant Attorney General

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF
LIQUIDATOR'S MOTION FOR THIRD ORDER APPROVING
DISTRIBUTION OF GENERAL ASSETS OF
OCEAN RISK RETENTION GROUP, INC.**

The District of Columbia (District), at the request of and on behalf of Stephen C. Taylor, Acting Commissioner and Liquidator for Ocean Risk Retention Group, Inc. (Ocean), moves the Court for a third order approving distribution of Ocean's general assets, and in support thereof state the following.

I. BACKGROUND

On September 6, 2013, the Court issued an Emergency Consent Order of Liquidation for Ocean, a captive insurer organized and licensed under the laws of the District that offered liability insurance to taxi owner-operators and to taxi fleet owners in New Jersey and Pennsylvania. The Emergency Consent Order of Liquidation for Ocean states explicitly that the

Commissioner as Liquidator shall be vested with the powers identified at D.C. Official Code § 31-1319 (2012 Repl.).

Under D.C. Official Code § 31-1319, Ocean's Liquidator and the Special Deputy Liquidator have the power to hire employees, agents, legal counsel, and other personnel they deem necessary to assist in the liquidation and to fix their compensation with the approval of the Court. *See* D.C. Official Code §§ 31-1319(a)(1), (2) and (4) (2012 Repl.). The Court previously approved the retention of Morris Manning LLP as liquidation counsel, and has approved payment of its invoices through August 2014.

II. APPLICATION FOR DISTRIBUTION OF OCEAN ASSETS

The Liquidator requests the court's approval for distribution of Ocean's assets to pay the Morris, Manning & Martin invoices attached as *in camera* **Exhibit 1**. Pursuant to the Court's Order dated January 3, 2014, the Court must have notice of any funds leaving the liquidation estate and preapprove such transactions. D.C. Official Code § 31-1319(a)(5) (2012 Repl.) authorizes the Liquidator to "pay reasonable compensation to persons appointed."

The Liquidator requests authorization to pay in full the Exhibit 1 invoices. In this regard, the Liquidator's counsel at the Department reviewed all invoices for reasonableness and their necessity in connection with the liquidation; requested clarification as warranted and received all information and explanations needed to fully evaluate the invoices; requested and received certain rate reductions; and has recommended deductions as summarized in the memorandum attached as *in camera* **Exhibit 2**. After the deductions and reductions shown in Exhibit 2, the Liquidator finds the hours and total fees and expenses incurred by Morris Manning & Martin to be reasonable and necessary for the services provided in connection with Ocean's liquidation.

The Liquidator therefore requests confirmation of authority to reimburse the attached invoices in the amount of **\$236,460.88** from Ocean's general assets.

III. RELIEF REQUESTED

Wherefore, for the reasons discussed above, the Petitioner moves the court for the entry of a third order approving the distribution of Ocean general assets as specified herein and in the attached proposed Order.

Respectfully Submitted,

KARL A. RACINE
Attorney General for District of Columbia

ELIZABETH SARAH GERE
Acting Deputy Attorney General
Public Interest Division

/s/ Eric S. Glover
ERIC S. GLOVER
Chief, Civil Enforcement Section

/s/ E. Louise R. Phillips
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THIRD ORDER APPROVING DISTRIBUTION OF
GENERAL ASSETS OF OCEAN RISK RETENTION GROUP, INC.

Upon consideration of the Liquidator's Motion for Third Order Approving Distribution of General Assets of Ocean Risk Retention Group, Inc., together with an *in camera* submission of the invoices at issue and the entire record herein, it is by this Court this ____ day of _____, 2015,

ORDERED that the Motion is **GRANTED**, and it is

FURTHER ORDERED that the payment of the invoices listed in the Motion in the total amount of **\$236,460.88** be and it is hereby approved, as follows:

Billing Entity	Invoice Number	Amount Approved by Liquidator	Amount Approved by Court
Morris Manning	544734	\$ 20,526.83	
Morris Manning	548078	\$35,192.40	
Morris Manning	550444	\$14,318.94	
Morris Manning	552335	\$16,325.00	
Morris Manning	554903	\$35,464.75	

Billing Entity	Invoice Number	Amount Approved by Liquidator	Amount Approved by Court
Morris Manning	556431	\$ 6,512.44	
Morris Manning	558219	\$15,961.50	
Morris Manning	560737	\$22,781.73	
Morris Manning	563510	\$ 9,657.99	
Morris Manning	56564	\$16,933.10	
Morris Manning	567903	\$16,714.40	
Morris Manning	570575	\$26,071.80	

Judge Judith Bartnoff
D.C. Superior Court

Copies by CaseFileXpress to:

E. Louise R. Phillips
Assistant Attorney General

Robert H. Myers, Jr.
Special Deputy Liquidator for
Ocean Risk Retention Group, Inc.