

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA, ex rel.  
L. TIMOTHY WAGNER,  
DIRECTOR OF INSURANCE OF  
THE STATE OF NEBRASKA,

Petitioner,

vs.

AMWEST SURETY INSURANCE  
COMPANY,

Respondent.

LANCASTER COUNTY

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CLERK OF  
DISTRICT COURT

Case No. CI 01 2102

ORDER NUNC PRO TUNC

This matter came on for consideration on the application of the Director of Insurance for the State of Nebraska, L. Tim Wagner, pursuant to the Insurers Supervision, Rehabilitation and Liquidation Act ("Act"), NEB. REV. STAT. §44-4801 *et seq.*, for an Order Nunc Pro Tunc. The Court, having reviewed the application, finds as follows:

1. Item 3, page 3 of the Order of Liquidation, Declaration of Insolvency and Injunction (the "Liquidation Order") entered herein on June 7, 2001 omits to appoint the successors in office of the Nebraska Director of Insurance as Liquidator as required by NEB. REV. STAT. §44-4818.

2. Item 8.F., page 4 of the Liquidation Order contains a typographical error, wherein the word "of" following word "institution" should be the word "or" to comply with the Act and the Petition filed herein.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that:

1. Item 3, page 3 of the Liquidation Order shall read as follows:

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"3. L. Tim Wagner, Director of Insurance for the State of Nebraska, and his successors in office, is appointed Liquidator of Amwest Surety pursuant to Neb. Rev. Stat. § 44-4818."


2. Item 8.F., page 4 of the Liquidation Order shall read as follows:

"F. The institution or further prosecution of any actions or proceedings;"

3. This Order shall take effect as of June 7, 2001.

4. This Order shall be effected by interlineation of the original Order.

DATED: July 10, 2001 but as of June 7, 2001.

  
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John A. Colborn, District Judge

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