

P96000091971

Humphrey, Berger & Associates LLP  
5230 Las Virgenes Rd.  
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Calabasas, CA 91302

(Address)

(City/State/Zip/Phone #)



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FILED  
03 MAR 31 PM 1:00  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

Voldis  
T. Lewis 3/31/03



FLORIDA DEPARTMENT OF STATE  
Glenda E. Hood  
Secretary of State

March 20, 2003

HUMPHREY, BERGER & ASSOCIATES LLP  
5230 LAS VIRGENES ROAD  
SUITE 259  
CALABASAS, CA 91302

SUBJECT: FAR WEST BOND SERVICES OF FLORIDA, INC.  
Ref. Number: P96000091971

We have received your document for FAR WEST BOND SERVICES OF FLORIDA, INC. and check(s) totaling \$35.00. However, the enclosed document has not been filed and is being returned to you for the following reason(s):

The copy of the Order of Liquidation as mentioned in the Certificate of Election must be attached.

Please return your document, along with a copy of this letter, within 60 days or your filing will be considered abandoned.

If you have any questions concerning the filing of your document, please call (850) 245-6905.

Thelma Lewis  
Document Specialist Supervisor

Letter Number: 703A00017165

RECEIVED  
03 MAR 31 AM 8:41  
DIVISION OF CORPORATIONS

## ARTICLES OF DISSOLUTION

Pursuant to section 607.1403, Florida Statutes, this Florida profit corporation submits the following articles of dissolution:

FIRST: The name of the corporation is: Far West Bond Services of Florida, Inc.

SECOND: The date dissolution was authorized: 12/17/02

THIRD: Adoption of Dissolution (CHECK ONE)

- ☒ Dissolution was approved by the shareholders. The number of votes cast for dissolution was sufficient for approval. Please See Attached
- ☐ Dissolution was approved by vote of the shareholders through voting groups.

*The following statement must be separately provided for each voting group entitled to vote separately on the plan to dissolve:*

The number of votes cast for dissolution was sufficient for approval by

\_\_\_\_\_  
(voting group)

Signed this \_\_\_\_\_ day of \_\_\_\_\_,

Signature

Mike J. FitzGibbons  
(By the Chairman or Vice Chairman of the Board, President, or other officer)

Mike J. FitzGibbons

\_\_\_\_\_  
(Typed or printed name)

Special Deputy Liquidator as Sole Shareholder

\_\_\_\_\_  
(Title)

FILED  
03 MAR 31 PM 1:00  
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TALLAHASSEE, FLORIDA

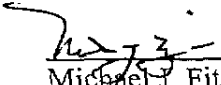
## CERTIFICATE OF ELECTION TO WIND UP AND DISSOLVE

The undersigned certify that:

1. Far West Bond Services of Florida, Inc., ("Far West Bond Services") is a wholly owned subsidiary of Amwest Surety Insurance Company ("Amwest").
2. On June 7, 2001, the District Court of Lancaster County, Nebraska issued an Order of Liquidation, Declaration of Insolvency, and Injunction ("Order of Liquidation") as to Amwest. A true and correct copy of the Order of Liquidation is attached to this certificate as Exhibit "A."
3. L. Tim Wagner, Director of Insurance for the State of Nebraska, was appointed Liquidator of Amwest pursuant to Neb. Rev. Stat. § 44-4818.
4. Michael J. FitzGibbons was appointed as Special Deputy Liquidator of Amwest.
5. The Liquidator is vested by operation of law with title to all of the property, contracts and rights of action and all of the books and records of Amwest, including Far West Bond Services.
6. Michael J. FitzGibbons, as Special Deputy Liquidator of Amwest, has elected to wind up and dissolve Far West Bond Services.

I further declare under penalty of perjury under the laws of the State of Florida that the matters set forth in this certificate are true and correct of my own knowledge.

DATE: 7/14/03

  
\_\_\_\_\_  
Michael J. FitzGibbons, Special  
Deputy Liquidator of Amwest as  
sole shareholder of Far West Bond  
Services of Florida, Inc.

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

STATE OF NEBRASKA, EX REL.  
L. TIM WAGNER,  
DIRECTOR OF INSURANCE OF  
THE STATE OF NEBRASKA,

LANCASTER COUNTY DOCKET

PAGE

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CI 01-2102

PETITIONER,

CLERK OF THE  
DISTRICT COURT

v.

AMWEST SURETY  
INSURANCE COMPANY,

RESPONDENT.

ORDER OF LIQUIDATION,  
DECLARATION OF INSOLVENCY,  
AND INJUNCTION

This matter came on for consideration on the petition of the Director of Insurance for the State of Nebraska, L. Tim Wagner ("Director") pursuant to the Insurers Supervision, Rehabilitation and Liquidation Act ("Act"), Neb. Rev. Stat. §44-4801 et seq. (Reissue 1998), for an Order of Liquidation and for such other further relief as appropriate with respect to Amwest Surety Insurance Company ("Amwest Surety"). Amwest Surety waived Notice and Hearing on the Director's Petition and has not contested the matter. The court, upon reviewing the evidence adduced at hearing and the applicable law, finds as follows:

1. Amwest Surety Insurance Company is a Nebraska domiciled property and casualty insurance company with its principal place of business located at 5230 Las Virgenes Road, Calabasas, California.
2. The court has jurisdiction over the subject matter and the parties.
3. As of March 31, 2001, based upon a quarterly financial statement filed June 5, 2001, Amwest Surety's liabilities exceed its assets by about 1.5 million. Amwest Surety is therefore insolvent.

4. Grounds exist under Neb. Rev. Stat. §44-4817 (Reissue 1998) for the Director to request an order to liquidate Amwest Surety and for the court to enter an Order of Liquidation pursuant to Neb. Rev. Stat. §44-4818.
5. The immediate appointment of a liquidator is necessary to protect the creditors, claimants and policyholders of Amwest Surety and it is in their best interest and in the best interests of the public that an Order of Liquidation be entered appointing the Director as Liquidator of Amwest Surety pursuant to Neb. Rev. Stat. §44-4818.
6. Under Neb. Rev. Stat. §44-4805 (1), the court is authorized to grant injunctions and other orders which are necessary and proper to prevent any actions that might lessen the value of Amwest Surety's assets, prejudice the rights of its policyholders, creditors and shareholders or prejudice the administration of any proceeding involving Amwest Surety under the Nebraska Insurers Supervision, Rehabilitation and Liquidation Act of 1989 ("Liquidation Act"), Neb. Rev. Stat. §§44-4801 et seq.
7. In order that Amwest Surety's assets not lessen in value, that the rights of Amwest Surety's policyholders, creditors and shareholders are not prejudiced and that the administration of proceedings involving Amwest Surety under the Liquidation Act are not prejudiced, it is necessary and proper for the court to grant injunctive relief and other orders as provided for under Neb. Rev. Stat. §44-4805.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that;

Amwest Surety Insurance Company is insolvent, which is a criteria for liquidation under Neb. Rev. Stat. §44-4817.

2. An Order of Liquidation is entered under Neb. Rev. Stat. §44-4818 authorizing the liquidation of Amwest Surety.

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

4. The Liquidator is authorized and directed to forthwith take possession and control of the assets of Amwest Surety and administer them under the general supervision of this Court. The Liquidator is directed to exercise any and all rights of Amwest Surety in connection with any collateral or other assets being held for the benefit of Amwest Surety by any person or entity. Pursuant to Neb. Rev. Stat. §44-4818 (Reissue 1998), the Liquidator shall be vested by operation of law with title to all of the property, contracts, and rights of action and all of the books and records of Amwest Surety, wherever located, as of the entry of this Order of Liquidation.

5. The Liquidator shall have, exercise and be subject to all of the rights, powers and duties of a Liquidator under Neb. Rev. Stat. 44-4801 et seq.

6. All officers, managers, directors, trustees, owners, employees, or agents of Amwest Surety shall cooperate with the Liquidator as required by Neb. Rev. Stat. §44-4806 (Reissue 1998).

7. The Liquidator shall file financial reports and accounting with this Court pursuant to Neb. Rev. Stat. §44-4818(5) for the period ending December 31, 2001, and at least annually thereafter. Such reports shall include at a minimum the assets and liabilities of Amwest Surety and all funds received or disbursed by the Liquidator during the current period, and shall be submitted to this Court for approval without necessity of a hearing.


8. Amwest Surety, its directors, officers, managers, agents, employees, and all other persons and legal entities, except the Liquidator of Amwest Surety, are hereby enjoined from:

- A. Engaging in further transactions of Amwest Surety business;
- B. Transferring Amwest Surety property;

- C. Interfering with the Liquidator, his employees and assistants or with proceedings involving Amwest Surety under the Liquidation Act;
- D. Wasting Amwest Surety assets;
- E. Dissipating or transferring bank accounts of Amwest Surety;
- F. The institution of further prosecution of any actions or proceedings;
- G. Obtaining preferences, judgments, attachments, garnishments, or liens against Amwest Surety, its assets or its policyholders;
- H. Levying execution against Amwest Surety, its assets or policyholders;
- I. Making any sale or deed for nonpayment of taxes or assessments which would lessen the value of the assets of Amwest Surety;
- J. Withholding from the Liquidator any books, accounts, documents or other records relating to the business of Amwest Surety; and
- K. Any other threatened or contemplated action that might lessen the value of Amwest Surety assets or that might prejudice the rights of policyholders, creditors, shareholders, or the administration of any proceeding involving Amwest Surety under the Nebraska Insurers Supervision, Rehabilitation and Liquidation Act of 1989.

9. This Court shall retain jurisdiction of this matter for the purpose of granting such other and further relief as shall be just and equitable and the Liquidator shall apply to this Court for further instructions as necessary.

Dated this 7<sup>th</sup> day of June, 2001.

  
\_\_\_\_\_  
District Judge  
JOHN A. COLBORN



**IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA**

**--CERTIFICATE**

I, Kelly Moore Guenzel Handlos , Clerk of the District Court of Lancaster County, Nebraska, do hereby certify that the foregoing is a full and correct copy/copies of the original instrument(s) duly filed and of record in this Court. This Certificate, which bears the seal of the District Court of Lancaster County, Nebraska, was signed,

on .....JUN 07 2001..... 20



Kelly Moore Guenzel Handlos  
Clerk of the District Court

By Cindy A Paul  
Deputy

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

01 JUL 11 PM 6:47

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:

CLERK DISTRICT COURT  
LANCASTER COUNTY

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MICROFILMED

"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.

  
\_\_\_\_\_  
John A. Colborn, District Judge

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