

CAUSE NO. D-1-GN-25-007344

THE TEXAS DEPARTMENT  
OF INSURANCE,  
Plaintiff

V.

NEW CENTURY INSURANCE COMPANY  
Defendant

# ORDER GRANTING APPLICATION FOR APPROVAL OF FEES AND EXPENSES

On this day, the Court considered the Application for Approval of Fees and Expenses (“Application”) filed by FitzGibbons & Company, Inc., Special Deputy Receiver of New Century Insurance Company (SDR and NCIC, respectively). The Application seeks approval for the compensation rate schedule and reporting periods requested for the duration of the administration of NCIC’s receivership estate (“receivership estate”). The Special Deputy Receiver appeared through its counsel. Although duly and timely notified of the Application, no individual appeared on behalf of any other party in interest.

Having considered the Application, the evidence, the argument of Counsel, if any, and the recommendation of Tom Collins, the receivership master acting under the Order of Reference to Master ("receivership master") entered in this cause on October 3, 2025 ("Order of Reference,") the Court finds as follows:

1. This Court has jurisdiction to hear this matter and jurisdiction is properly in the 126<sup>th</sup> Judicial District Court of Travis County, Texas, as the court in which these delinquency proceedings are pending pursuant to TEX. INS. CODE § 443.005(c);

2. The subject matter of this Application and the hearing of any objections to the *Application* have been properly referred to the receivership master appointed by this Court in this proceeding, in accordance with the Order of Reference, under paragraphs III (5);
3. The SDR is authorized to file the Application pursuant to TEX. INS. CODE §§ 443.015 and 443.154(a);
4. The *Application* was properly submitted for hearing by submission before the receivership master in accordance with the Order of Reference and no objection to the *Application* was filed;
5. The notice of the hearing was made to the certificate of service and was in accordance with the notice requirements of TEX. INS. CODE §§443.004(a)(17) and 443.007(a) and (d), and the Order of Reference, and meets the requirements of due process;
6. The receivership master has issued a recommendation that the Application should be granted pursuant to Rule 171 of the Texas Rules of Civil Procedure;
7. The recommendation of the receivership master should be confirmed, and the *Application* should be **GRANTED**.

It is **ORDERED, ADJUDGED and DECREED** that:

1. The Application is approved and GRANTED in all respects;
2. Exhibit 1, the Affidavit of Michael J. FitzGibbons, is admitted into evidence; and
3. Exhibit 2, which sets forth the schedule for the rates for compensation and expenses, is admitted into evidence;

4. The terms of compensation and expenses listed in Exhibit 2 to the Application are approved pursuant to TEX. INS. CODE § 443.015(c), and the incurred expenses reported by statements of expense are approved under TEX. INS. CODE § 443.015(g) pursuant to TEX. INS. CODE § 443.015(d);

It is **FURTHER ORDERED** that the SDR is authorized to execute any documents, incur any expenses, and take such actions as necessary to effectuate the purposes of the Application.

SIGNED this 12th day of November, 2025.

Original Signed By

DISTRICT JUDGE PRESIDING

PROPER NOTICE GIVEN  
ACKNOWLEDGMENT OF NOTICE AND WAIVER  
OF OBJECTION PRESENTED

SUBMITTED

RECOMMENDED

SIGNED ON 11/12/2025

DAY OF Nov. 2025

Original Signed By

TOM COLLINS, RECEIVERSHIP SPECIAL MASTER