

THE STATE OF TEXAS,

Plaintiff,

V.

WEBB COUNTY TITLE
& ABSTRACT COMPANY, INC.,

Defendant.

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IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

201ST JUDICIAL DISTRICT

Filed in The District Court
of Travis County, Texas

JL NOV 23 2010
At 4:00 PM
Almora Rodriguez-Mendoza, Clerk

**ORDER GRANTING SPECIAL DEPUTY RECEIVER'S EXPEDITED APPLICATION
TO RESOLVE CLAIMS AND DISTRIBUTE RESTRICTED PROCEEDS**

On the undersigned date, the Court considered the *Expedited Application to Resolve Claims and Distribute Restricted Proceeds* (the "Application") filed by CANTILO & BENNETT, L.L.P., solely in its capacity as Special Deputy Receiver of Webb County Title & Abstract Company, Inc. (the "SDR" and "WCTA," respectively).

Having considered the Application, the Court finds as follows:

1. The *Order of Reference to Master* ("Order of Reference") entered by this Court provides that applications filed pursuant to TEX. INS. CODE § 443.008 are referred to the Special Master appointed in this proceeding;
2. The Application was submitted to the Special Master in accordance with the Order of Reference;
3. The Order of Reference provides that the Special Master may grant expedited consideration of any application upon good cause shown;
4. The Special Master granted the SDR's request for expedited consideration;
5. The Texas Title Insurance Guaranty Association ("TTIGA") filed its Acknowledgment and Waiver to the Application;

6. No objections were filed;
7. By Orders entered on March 1, 2010 and April 2, 2010, the Court granted the SDR's Applications to sell the WCTA Building and Title Plant and ordered that the net sales proceeds be deposited into a restricted account subject to disposition by the Court. The proceeds, along with any accrued interest, are referred to as the "Restricted Funds;"
8. The SDR and the International Bank of Commerce ("IBC") have entered into a settlement agreement that resolves all claims and disputes by and between themselves and no others and provides for the disposition of the Restricted Funds;
9. The Special Master issued a recommendation that the Application should be granted, pursuant to Rule 171 of the Texas Rules of Civil Procedure;
10. The Court has jurisdiction over the Application, the Restricted Funds and the parties affected hereunder; and
11. The Application should be GRANTED in all respects.

It is, accordingly, **ORDERED** as follows:


1. The Application is GRANTED.
2. The SDR is authorized to and shall distribute to IBC the sum of \$902,500.00 from the Restricted Funds.
3. All funds remaining in the Restricted Funds Account following the distribution to IBC shall be and hereby are unrestricted general funds of the receivership estate and shall be transferred to an unrestricted receivership estate account.
4. IBC's Proof of Claim (No. 10) in this delinquency proceeding is moot and withdrawn with prejudice to refiling same and/or appeal upon the above described payment to IBC.

5. By entry of this Order and the distribution to IBC as set out above, all liens, claims, interests and encumbrances on the WCTA Building and its proceeds are extinguished as a matter of law.
6. By entry of this Order and the distribution to IBC as set out above, all liens, claims, interests and encumbrances on the Title Plant and its proceeds are extinguished as a matter of law.
7. By entry of this Order and the completion of its terms, all claims by and between WCTA, the SDR and the Receiver, on one hand, and IBC, on the other hand, are dismissed with prejudice and fully released.
8. The terms and conditions of this Order may be waived, modified, amended or supplemented by the written and signed agreement of the SDR and IBC without further action of the Court, provided that any such waiver, modification, amendment or supplement is not material or is not adverse to the SDR.
9. The SDR is authorized to enter such other and further documents as may be necessary to effectuate the transaction.
10. Nothing in this Order, the Application, the relief granted herein, or any related proceeding or filing shall affect, in any way, the Receiver's or the SDR's immunities from suit and shall not give rise to any right to sue or create any causes of action against the Receiver or the SDR. The automatic stay and the provisions of the Permanent Injunction remain in affect unless expressly modified herein.
11. This Court retains exclusive jurisdiction to enforce the provisions of this Order, all amendments thereto, any waivers and consents thereunder, to resolve any

dispute concerning this Order, or the rights and duties of the parties hereunder or thereunder or any issues relating to this Order.

SIGNED November 23 2010.


JUDGE PRESIDING

PROPER NOTICE GIVEN
ACKNOWLEDGEMENT OF NOTICE AND WAIVER
OF OBJECTION PRESENTED
SUBMITTED
RECOMMENDED
SIGNED ON 22nd DAY OF Nov. 2010

TOM COLLINS, RECEIVERSHIP SPECIAL MASTER