

STATE OF NORTH CAROLINA **FILED** IN THE GENERAL COURT OF JUSTICE
 WAKE COUNTY SUPERIOR COURT DIVISION
 FILE NO. 17 CVS 11692

2018 APR 18 P 2:46

MIKE CAUSEY,)
 COMMISSIONER OF INSURANCE)
 OF NORTH CAROLINA,)
)
 Petitioner,)
)
 v.)
)
 CANNON SURETY, LLC,)
 A North Carolina Limited Liability)
 Company,)
)
 Respondent.)

ORDER AMENDING ORDER OF REHABILITATION

THIS CAUSE came to be heard and was heard on the 21st day of March, 2018, before the undersigned Judge of Superior Court of Wake County, North Carolina, upon the Petitioner’s “Motion to Amend Order of Rehabilitation” filed herein on January 30, 2018, which seeks to amend the “Order of Rehabilitation; Order Appointing Receiver; Order Granting Injunctive Relief” entered herein on January 2, 2018;

And it appearing to the Court that concern has arisen regarding the effect of said Order of Rehabilitation on statutory proceedings to enter bail bond forfeitures and to obtain judgments arising out of bail bonds executed on behalf of Respondent Cannon;

And it appearing to the Court that said Order of Rehabilitation was not intended to bar statutory proceedings to enter bail bond forfeitures and to obtain judgments, or appeals thereof, arising out of forfeited bail bonds executed on behalf of Respondent Cannon;

And it further appearing to the Court that said Order was not intended to remove the possibility of motions and orders for relief from pending bail bond forfeitures or from final

judgments thereon, or appeals thereof, made by Cannon Surety, LLC prior to receipt of the seizure order herein, or by the Rehabilitator, or by a bail agent who has obtained the consent of the Commissioner or the Rehabilitator, based on the existence of proper statutory grounds set out in Chapter 15A of the North Carolina General Statutes;

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED as follows:

1. All proceedings or actions already instituted or which may be hereafter instituted in this State pursuant to Chapter 15A of the North Carolina General Statutes against Respondent Cannon Surety, LLC or its appointed bail agents for the enforcement of bail bond forfeitures on bail bonds executed on behalf of Respondent Cannon or appeals thereof, are hereby exempted from the provisions of Paragraph 10 of the “Order of Rehabilitation; Order Appointing Receiver; Order Granting Injunctive Relief” entered herein on January 2, 2018 to the extent that such proceedings or actions may proceed to the final judgment stage;

2. All proceedings or actions already instituted or which may be hereafter instituted pursuant to Chapter 15A of the North Carolina General Statutes against Respondent Cannon Surety, LLC or its appointed bail agents for the enforcement of bail bond forfeitures on bail bonds executed on behalf of Respondent Cannon or appeals thereof, are hereby exempted from the stay of proceedings set out in Paragraph 11 of the “Order of Rehabilitation; Order Appointing Receiver; Order Granting Injunctive Relief” entered herein on January 2, 2018 to the extent that such proceedings or actions may proceed to the final judgment stage;

3. All actions taken in the furtherance of bond forfeiture proceedings in this State against Respondent Cannon Surety, LLC or its appointed bail agents pursuant to Chapter 15A of the North Carolina General Statutes prior to the entry of this Order shall be deemed to have been

taken with the Court's prior permission, to the extent that such proceedings or actions may proceed to the final judgment stage and appeals thereof;

4. Motions filed by Cannon Surety, LLC prior to receipt of a copy of the Seizure Order entered herein on September 27, 2017, or filed by the Rehabilitator, or filed by a bail agent with the consent of the Commissioner of Insurance or the Rehabilitator, for relief from pending bail bond forfeitures or from final judgments thereon based on the existence of proper statutory grounds set out in Chapter 15A of the North Carolina General Statutes or appeals thereof, are hereby exempted from the stay of proceedings set out in Paragraph 11 of the "Order of Rehabilitation; Order Appointing Receiver; Order Granting Injunctive Relief" entered herein on January 2, 2018.

5. The Commissioner of Insurance and the Department of Insurance are hereby enjoined and prohibited from making payment for final forfeiture judgments from the funds on deposit in Cannon's name at US Bank until further order of this Court;

6. Except as herein provided, all other provisions of the "Order of Rehabilitation; Order Appointing Receiver; Order Granting Injunctive Relief" entered herein on January 2, 2018 shall remain in full force and effect.

This 18 day of April, 2018.


A. GRAHAM SHIRLEY, II
RESIDENT SUPERIOR COURT JUDGE