

FEB 13 2008

HANSEL DAER
U.S. DISTRICT JUDGE
S.D.N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EMPLOYERS' SURPLUS LINES INSURANCE)
COMPANY,)
) Petitioner,)
))
) - against -)
))
GLOBAL REINSURANCE CORPORATION -)
UNITES STATES BRANCH (f/k/a Gerling Global)
Reinsurance Corporation - United States Branch),)
))
Respondent.)
-----X

No. 1:07 -cv- 2521 (HB)

JUDGMENT

H _____

WHEREAS, Petitioner and Respondent submitted to arbitration the issues of whether Respondent's facultative reinsurance certificate reinsured the aggregate insurance coverage provided under Petitioner's insurance policy, and the amount, if anything, that Respondent owed Petitioners;

WHEREAS, an arbitration hearing was conducted on November 6-8, 2006 and October 11, 2007;

WHEREAS, Petitioner sought an award declaring that Respondent's facultative reinsurance certificate reinsured the aggregate insurance coverage provided under the Petitioner's policy, and Respondent sought an award declaring that its facultative reinsurance certificate did not reinsure the aggregate insurance coverage provided under the Petitioner's policy;

WHEREAS, on November 9, 2007, the Arbitrator issued a Final Award, as attached to this Judgment, denying Respondent's application, and granting Petitioner's application; and

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DATE FILED: <u>2/19/08</u>

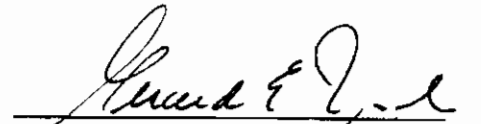
WHEREAS, this petition to confirm the award came on for hearing before the Court, Honorable Harold Baer, Jr., United States District Judge, and the issues having been duly heard and a decision granting the petition and confirming the arbitral award having been duly rendered;

It is ORDERED AND ADJUDGED

That the attached Final Award of the Arbitrator issued on November 9, 2007, is confirmed and that the Petitioner has judgment in accordance with the rulings and terms stated therein and Respondent shall pay Petitioner the amount of \$3,000,000, plus interest in the amount of \$235,442.52 through February 15, 2008, plus simple interest at the rate of 5% thereafter.

Dated: New York, New York

Feb. 15, 2008


United States District Judge
Part I
for Judge Baer

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ON THE DOCKET ON _____