

**IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA**

State of Florida, ex rel., the Department
of Financial Services of the State of Florida,
Relator

CASE NO.: 2022 CA 001008

vs.

Southern Fidelity Insurance Company,
Respondent

_____ /

NOTICE OF AUTOMATIC STAY

NOTICE IS HEREBY GIVEN that, on **June 13, 2022**, the Florida Department of Financial Services ("Department"), filed a *Petition for Consent Order Appointing the Department as Receiver of Southern Fidelity Insurance Company, for Purposes of Liquidation*.

Pursuant to section 631.041(1), Florida Statutes (2022), the filing of the *Petition* operates as a matter of law as an automatic stay applicable to all persons and entities, other than the Department and the Florida Office of Insurance Regulation, which will be permanent and survive the entry of an order of rehabilitation or liquidation, and which prohibits:

- A. The commencement or continuation of judicial, administrative, or other action or proceeding against the insurer or against its assets or any part thereof;
- B. The enforcement of a judgment against the insurer or an affiliate obtained either before or after the commencement of the delinquency proceeding;
- C. Any act to obtain possession of property of the insurer;
- D. Any act to create, perfect, or enforce a lien against property of the insurer, except that a secured claim as defined in section 631.011(21), Florida Statutes, may proceed under section 631.191 after the order of liquidation is entered;

E. Any action to collect, assess, or recover a claim against the insurer, except claims as provided for under chapter 631, Florida Statutes; and

F. The set-off or offset of any debt owing to the insurer except offsets as provided in section 631.281, Florida Statutes.

“Upon written request of a person or entity subject to the stay against obtaining or enforcing a judgment against an insurer or affiliate” the Court, with notice to the Department and “upon hearing, may grant relief from the stay provided the movant, who has the burden of proof, establishes by clear and convincing evidence that the judgment is not voidable or void by a receiver and that property from which the judgment would be satisfied does not constitute premium funds or another asset which belongs to the insurer. § 631.041(2), Fla. Stat.

“The estate of an insurer in rehabilitation or liquidation which is injured by any willful violation of an applicable stay or injunction shall be entitled to actual damages, including costs and attorney’s fees, and, in appropriate circumstances, the receivership court may impose additional sanctions.” § 631.041(6), Fla. Stat.

DATED: June 15, 2022

/s/Jamila G. Gooden

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Florida Department of Financial Services

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