

# LUSTGARTEN ASSOCIATES, INC.

375 FIFTH Avenue, 3<sup>rd</sup> Fl., New York, NY 10016

Tel: (212) 683-2440 • Fax: (212) 447-7265

Guy's Email: [guy@lustgarten-insurance.com](mailto:guy@lustgarten-insurance.com)

General Email: [admin@lustgarten-insurance.com](mailto:admin@lustgarten-insurance.com)

## FACSIMILE

TO: CLAUDE SIMON

FROM: TOBIN GUY LUSTGARTEN

CO: \_\_\_\_\_

DATE: 7/22/19

SUBJECT: ESTATE BOND

# OF PAGES: \_\_\_\_\_

CLAUDE - ENCLOSED PLEASE FIND AND EMAIL  
FROM DENISE THOMPSON @ USLINS. SERVICES.  
WE NEED A CHECK FOR \$ 1485 - MADE OUT TO  
LUSTGARTEN ASSOC? LOOK OVER HER BOND FORM  
I SURE THIS WILL BE ACCEPTABLE TO WHOMEVER  
YOU ARE DEALING WITH. QUESTIONS? ISSUES?  
CALL ME OR E-MAIL.

With Best  
Guy

## Guy

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**From:** Denese Thompson <Denese.Thompson@usi.com>  
**Sent:** Monday, July 22, 2019 12:00 PM  
**To:** Guy  
**Subject:** Claude Simon - Administration Bond  
**Attachments:** Claude Simon - Bond.pdf; Claude Simon - Invoice.pdf

Good afternoon Guy,

The requested bond has been approved and issued. Attach is a copy of the bond and the invoice for the \$1,485.00.

The signed original is being sent to you today.

I trust you find all in order.

**DENESE THOMPSON, AFSB, AINS, FIPC**

NE Surety Leader  
USI Insurance Services, LLC  
333 Earle Ovington Blvd, Suite 800  
Uniondale, NY 11553  
516-419-4097 | c: 516-680-5942 | f: 610-537-1968 | VOIP 14097  
[denese.thompson@usi.com](mailto:denese.thompson@usi.com) | [www.usi.com](http://www.usi.com)

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Please note that you may not rely on email communication to us to report a claim or to give us instructions to place, bind, change or terminate coverage unless we have subsequently confirmed to you in writing that we have received your message and will be taking the action you have requested.

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STATE OF NEW YORK  
SURROGATES COURT, COUNTY OF NASSAU

BOND # LSM1290180

PROCEEDINGS FOR LETTER OF ADMINISTRATION  
ON THE ESTATE OF

Vicki R.C. Simon aka Vicki Claireux Simon  
Deceased.

FILE # 2019-1564

**KNOW ALL MEN BY THESE PRESENTS:**

That we, Claude Simon of 71 Tonjes Road, Callicoon, NY 12723, as Principal, and RLI Insurance Company a corporation of the State of Illinois authorized by the laws of the State of New York to execute bonds of suretyship, having an office and principal place of business at 5786 Widewaters Parkway, Suite 206, DeWitt, NY 13214, as Surety are held and firmly bound unto the People of the State of New York for the security and benefit of the persons now or hereafter interested in the estate, in the sum of Five Hundred Forty Thousand and 00/100----- (\$540,000.00), DOLLARS lawful money of the United States, to be paid to the said People of the State of New York for which payment, well and truly to be made, we bind ourselves, our and each of our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

**NOW, THEREFORE, THE CONDITIONS OF THIS OBLIGATION IS SUCH THAT,** if the above bounden Claude Simon shall faithfully discharge the trust reposed in him as Administrator of all and singular goods, chattels and credits of Vicki R. C. Simon aka Vicki Claireux Simon, deceased, late of the County of Nassau, obey all lawful decrees and orders of the Surrogate's Court of the County of Nassau touching the administration of the assets committed to him including but not limited to decrees or orders directing repayment of amounts allowed as advances on commissions and render a verified account of his administration whenever required to do so by the court, then this obligation shall be void; otherwise to remain in full force and effect.

**IN WITNESS WHEREOF,** the Principal and Surety have hereunto set their hands and seals this 18th day of July, 2019.

By: \_\_\_\_\_ (L.S.)  
Claude Simon, Principal

RLI Insurance Company

By: \_\_\_\_\_  
Denese Thompson, Attorney in Fact



RLI Insurance Company  
P.O. Box 3967 Peoria IL 61612-3967  
Phone: (309)692-1000 Fax: (309)683-1610

## Acknowledgment of Surety

STATE OF New York } ss.  
COUNTY OF Nassau

On this 18th day of July, 2019, before me, a Notary Public in and for said County, personally appeared Denese Thompson, personally known to me, who being by me duly sworn did say that he/she is the aforesaid Attorney In Fact of the **RLI Insurance Company** of Peoria, Illinois, a corporation duly organized and existing under the laws of the State of Illinois, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, that the said instrument was signed, sealed and executed in behalf of said corporation by authority of its Board of Directors, and further acknowledge that the said instrument and the execution thereof to be a voluntary act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed by official seal the day and year last above written.

My Commission Expires:

06/24/2022

Tara Laverdiere

Notary Public

# POWER OF ATTORNEY

## RLI Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615  
Phone: 800-645-2402

Bond No. LSM1290180

### Know All Men by These Presents:

That the RLI Insurance Company, a corporation organized and existing under the laws of the State of Illinois, and authorized and licensed to do business in all states and the District of Columbia does hereby make, constitute and appoint: Denese Thompson in the City of Uniondale, State of New York, as its true and lawful Agent and Attorney In Fact, with full power and authority hereby conferred upon him/her to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Five Million and 00/100 Dollars (\$ 5,000,000.00) for any single obligation, and specifically for the following described bond.

**Principal:** Claude Simon

**Obligee:** Nassau County Surrogate's Court

**Type Bond:** Administrator

**Bond Amount:** \$ 540,000.00

**Effective Date:** July 18, 2019

The RLI Insurance Company further certifies that the following is a true and exact copy of a Resolution adopted by the Board of Directors of RLI Insurance Company, and now in force to-wit:

**"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."**

IN WITNESS WHEREOF, the RLI Insurance Company has caused these presents to be executed by its Vice President with its corporate seal affixed this 18th day of July, 2019.



**RLI Insurance Company**

By: Barton W. Davis  
Barton W. Davis

Vice President

### CERTIFICATE

I, the undersigned officer of RLI Insurance Company do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company this 18th day of July, 2019.

**RLI Insurance Company**

By: Jean M. Stephenson  
Jean M. Stephenson  
Corporate Secretary



By: Gretchen L. Johnigk  
Gretchen L. Johnigk  
Notary Public

A0006817 SUBS

### **Individual Acknowledgment**

State of New York

County of  

On the   day of  ,  , before me personally appeared  
Claude Simon

to me known and known to me to be the person described in and who executed the foregoing instrument and he/she thereupon acknowledged to me that he/she executed the same.

\_\_\_\_\_  
Notary Public

### **Partnership Acknowledgment**

State of  

County of  

On the   day of  ,  , before me personally appeared  
\_\_\_\_\_  
to me known and known to me to be one of the firm of

described in and who executed the foregoing instrument and he/she thereupon acknowledged to me that he/she executed the same as and for the act and deed of said firm.

\_\_\_\_\_  
Notary Public

### **Corporate Acknowledgment**

State of  

County of  

On the   day of  ,  , before me personally appeared  
\_\_\_\_\_  
to me known, who being by me duly sworn, did  
depose and say that he/she is the   of the  
\_\_\_\_\_  
the corporation described in and which executed the foregoing instrument; that he/she knows the seal of said corporation; that the seal affix to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation; and that he/she signed his/her name thereto by like order.

\_\_\_\_\_  
Notary Public



RLI Insurance Company  
P.O. Box 3967 Peoria IL 61612-3967  
Phone: (309)692-1000 Fax: (309)683-1610

# RLI Insurance Company

December 31, 2018

## Admitted Assets

Investments:	
Fixed maturities.....	\$ 747,235,489
Equity securities.....	884,291,735
Short-term investments.....	0
Real estate.....	29,802,463
Properties held to produce income.....	0
Cash on hand and on deposit.....	29,638,778
Other invested assets.....	34,966,118
Receivables for securities.....	0
Agents' balances.....	81,240,293
Investment income due and accrued.....	5,929,976
Funds held.....	0
Reinsurance recoverable on paid losses.....	8,591,035
Federal income taxes receivable.....	0
Net deferred tax asset.....	3,836,443
Guarantee funds receivable or on deposit.....	60,867
Electronic data processing equipment, net of depreciation.....	8,145,831
Receivable from affiliates.....	460,607
Other admitted assets.....	<u>11,201,403</u>
 Total Admitted Assets	 <u>\$ 1,845,401,038</u>

State of Illinois



County of Peoria



{ Corporate  
Seal  
Affixed }

Sworn to before me this 23rd day of February, 2019.



{ Notarial  
Seal  
Affixed }

## Liabilities and Surplus

Liabilities:	
Reserve for unpaid losses and loss adjustment expenses.....	\$ 596,730,971
Unearned premiums.....	263,712,726
Accrued expenses.....	49,282,615
Funds held.....	401,143
Advance premiums.....	7,214,508
Amounts withheld.....	74,762,115
Dividends declared and unpaid.....	40,638
Ceded reinsurance premium payable.....	10,940,257
Payable for securities.....	1,216,188
Statutory penalties.....	310,000
Current federal & foreign income taxes.....	3,524,047
Federal income tax payable.....	0
Borrowed money and accrued interest.....	0
Drafts outstanding.....	0
Payable to affiliate.....	4,475,118
Other liabilities.....	<u>3,015,592</u>
 Total Liabilities .....	 <u>\$ 1,015,625,918</u>
 Surplus:	
Common stock.....	\$ 10,000,375
Additional paid-in capital.....	242,451,084
Unassigned surplus.....	<u>577,323,661</u>
 Total Surplus	 <u>\$ 829,775,120</u>
 Total Liabilities and Surplus	 <u>\$ 1,845,401,038</u>

Attest:

Barton W. Davis

Vice President

Cherie L. Montgomery

Assistant Secretary

Gretchen L. Johnigk

Notary Public, State of Illinois

M0058319