

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

HAVANA DOCKS CORPORATION,

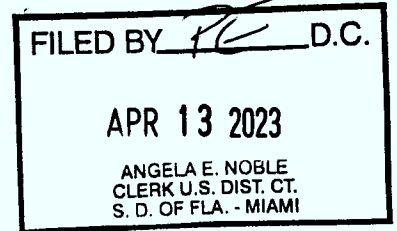
Plaintiff,

v.

CARNIVAL CORPORATION,

Defendant.

Case No. 19-cv-21724  
BLOOM/McAliley



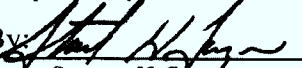
**DEFENDANT CARNIVAL CORPORATION'S NOTICE OF FILING ORIGINAL  
SUPERSEDEAS BOND**

Defendant, Carnival Corporation, through undersigned counsel, gives notice of filing original **Bond No. SUR0078726**, **Bond No. SU1183729**, **Bond No. K41647875**, and **Bond No. SURU2210000428** for the total aggregate sum of one hundred twenty four million, six hundred ninety five thousand, six hundred eighty three dollars and sixty one cents (**\$124,695,683.61**) with the United States District Court Registry on April 13, 2023, in compliance with the Court's March 14, 2023 Order on Motion for Stay of Execution of Final Judgments Without Bond or With a Reduced Bond Pending Appeals [*Norwegian* ECF No. 488] filed in *Havana Docks Corp. v. Norwegian Cruise Line Holdings, Ltd.*, No. 1:19-cv-23591-BB and the Court's December 30, 2022 entry of Final Judgment in *Havana Docks Corp. v. Carnival Corporation*, No. 19-cv-21724 [ECF No. 544].

Dated: April 13, 2023

Pedro A. Freyre  
**AKERMAN LLP**  
(Florida Bar No. 192140)  
98 SE 7<sup>th</sup> St., Suite 1100  
Miami, Florida 33131  
Telephone: (305) 374-5600  
[Pedro.freyre@akerman.com](mailto:Pedro.freyre@akerman.com)

Respectfully submitted,

By:   
**STUART H. SINGER**  
(Florida Bar No. 377325)  
Meredith Schultz  
(Florida Bar No. 29536)  
Pascual A. Oliu  
(Florida Bar No. 107737)  
Corey P. Gray

George J. Fowler, III  
(*Pro Hac Vice*)  
Luis Llamas  
(Florida Bar No. 89822)  
**JONES WALKER LLP**  
201 St. Charles Ave.  
New Orleans, LA 70170  
Telephone: (504) 582-8752  
[gfolwer@joneswalker.com](mailto:gfolwer@joneswalker.com)  
[llamas@joneswalker.com](mailto:llamas@joneswalker.com)

(Florida Bar No. 0115473)  
**BOIES SCHILLER FLEXNER LLP**  
401 East Las Olas Boulevard, Suite 1200  
Fort Lauderdale, Florida 33301  
Telephone: (954) 356-0011  
[ssinger@bsflfp.com](mailto:ssinger@bsflfp.com)  
[mschultz@bsflfp.com](mailto:mschultz@bsflfp.com)  
[poliu@bsflfp.com](mailto:poliu@bsflfp.com)  
[cgray@bsflfp.com](mailto:cgray@bsflfp.com)

*Attorneys for Carnival Corporation*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 13, 2023, the foregoing Notice of Filing was filed with Clerk of Court by hand-delivery for conventional filing, and will be served on all counsel of record via CM/ECF.

By:   
STUART H. SINGER

**United States District Court  
Southern District of Florida**

Case Number: 19-cv-21724

## **SUPPLEMENTAL ATTACHMENT(S)**

Please refer to supplemental "file" in the division where the Documents/Exhibits were submitted and filed.

Division Document/Exhibits Submitted and Filed: \_\_\_\_\_

These Documents/Exhibits must not be placed in the "temp chron file".

**Documents/Exhibits Retained in Supplemental Files (Scanned)**

- Poor quality scanned images (i.e. Handwritten, Photographs)
- Surety bonds
- Bound extradition papers

**Documents/Exhibits Retained in Supplemental Files (Not Scanned)**

- CD, DVD, USB drive. (i.e. Audio/Visual)

\*\* All other documents and documentary exhibits are part of the CM/ECF Case Record in pdf format.

Date: 4/13/2023

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

19-cv-23591  
Case No. 19-cv-21724  
BLOOM/McAliley

HAVANA DOCKS CORPORATION,

Plaintiff,

v.

CARNIVAL CORPORATION,

Defendant.

\_\_\_\_\_ /

**SUPERSEDEAS BOND**

KNOW ALL BY THESE PRESENTS, that **CARNIVAL CORPORATION**, as Principal and Defendant ("Carnival"), and **Argonaut Insurance Company, Arch Insurance Company, Federal Insurance Company and Ascot Surety & Casualty Company**, as Sureties, (hereinafter collectively and individually called "Surety") are held and firmly bound unto **HAVANA DOCKS CORPORATION**, as Obligee ("Havana Docks"), in the total aggregate sum of **One Hundred Twenty Four Million, Six Hundred Ninety Five Thousand, Six Hundred Eighty Three Dollars and Sixty One Cents (\$124,695,683.61)**, lawful money of the United States to be paid to **Havana Docks** for which payment well and truly to be made, we bind ourselves and our heirs, executors, administrators, successors and assigns, severally by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH THAT:

WHEREAS, Final Judgment was entered on **December 30, 2022**, in favor of **Havana Docks**, and against **Carnival**, in the amount of \$113,359,712.37. One hundred ten percent (110%) of that amount is **\$124,695,683.61**, and

WHEREAS, **Carnival** intends to appeal the Final Judgment to the United States Court of Appeals for the Eleventh Circuit and, if necessary, to the United States Supreme Court.

NOW, THEREFORE, the condition of this obligation is such that this obligation shall be void if (a) Carnival's appeal is dismissed or the judgment is affirmed, and Carnival satisfies the final judgment in full, together with any additional costs, interest, or damages delay awarded by a court of competent jurisdiction; (b) the final judgment is modified as the result of appellate proceedings and Carnival satisfies the modified judgment in full, together with any additional costs, interest, or damages delay awarded by a court of competent jurisdiction, or (c) the final judgment is reversed or vacated upon the conclusion of all appellate proceedings. Otherwise, then, this obligation shall remain in full force and effect.

PROVIDED, HOWEVER, THAT:

1. The maximum amount of liability for each Surety shall be limited to the following amounts and percentages:

Argonaut Insurance Company, an Illinois Corporation for Fifty Million And 00/100 Dollars (\$50,000,000.00) – (40.1%)

Arch Insurance Company, a Missouri Corporation for Thirty Million And 00/100 Dollars (\$30,000,000.00) – (24.1%)

Federal Insurance Company, an Indiana Corporation for Twenty-Four Million Six Hundred Ninety-Five Thousand Six Hundred Eighty-Three and 61/100 Dollars (\$24,695,683.61) – (19.8%)

Ascot Surety & Casualty Company, a Colorado Corporation for Twenty Million And 00/100 Dollars (\$20,000,000.00) - (16.0 %)

2. It is expressly provided that the obligation of the Surety shall be several and not joint, and in no event will an individual Surety be responsible for an amount greater than their respective maximum amount of liability set forth above in paragraph 1. Nor shall any Surety's liability be increased or affected hereunder in any way whatsoever as a result of the performance or non-performance by any other Surety of such other Surety's obligation under this Bond.

3. Any claim for payment by Havana Docks arising under this Bond shall be allocated to the percentage of each Surety's limit of liability relative to the aggregate amount of this Bond.

4. In no event shall the total obligation of each Surety, individually, hereunder exceed the amount herein stated, regardless of the number of years this Bond is in force.


5. This Bond may be executed in any number of counterparts, and by the different parties hereto on separate counterparts, each of which counterpart shall be an original, but all of which shall together constitute one and the same instrument.

6. Pursuant to Rule 8(b) of the Federal Rules of Appellate Procedure and Rule 65.1 of the Federal Rules of Procedure, each Surety, individually, submits itself to the jurisdiction of the District Court.

IT IS FURTHER AGREED by each Surety that in the event that any Surety, individually, defaults or refuses to obey any court order requiring payment, the Court may, upon notice to the defaulting Surety of not less than ten business days, proceed summarily and render judgment against the defaulting Surety, individually, in accordance with its obligation and award execution thereon.

SIGNED AND SEALED this 17<sup>th</sup> day of April, 2023.

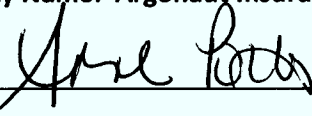
Principal: Carnival Corporation

By:   
[NAME AND TITLE]  
Enrique Miguez  
General Counsel

**SURETY**

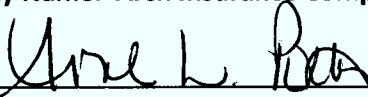
**BOND NUMBERS**

Surety Name: Argonaut Insurance Company

By:   
Anne Potter, Attorney-In-Fact

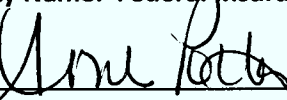
Bond Number: SUR0078726

Surety Name: Arch Insurance Company

By:   
Anne L. Potter, Attorney-In-Fact


Bond Number: SU 1183729

Surety Name: Federal Insurance Company

By:   
Anne Potter, Attorney-In-Fact

Bond Number: K41647875

Surety Name: Ascot Surety & Casualty Company

By:   
Anne Potter, Attorney-In-Fact

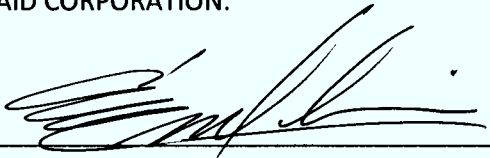
Bond Number: SURU2210000428

ACKNOWLEDGEMENT OF PRINCIPAL, IF A CORPORATION

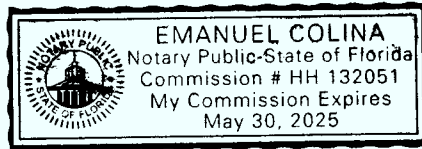
STATE OF FLORIDA )

COUNTY OF MIAMI-DADE )

ON THE 12 DAY OF April 2023 BEFORE ME PERSONALLY CAME ENRIQUE MICOQUE TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT MIAMI, FLORIDA, THAT (S)HE IS THE GENERAL COUNSEL OF CARNIVAL CORP THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION.



Notary Public

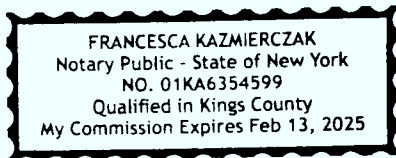




ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)  
COUNTY OF New York ,)

ON THE 17<sup>th</sup> DAY OF April, 2023 , BEFORE ME PERSONALLY CAME Anne L. Potter TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Queens County, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Argonaut Insurance Company, Arch Insurance Company, Federal Insurance Company and Ascot Surety & Casualty Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.



*Francesca Kazmierczak*  
Notary Public

**Argonaut Insurance Company  
Deliveries Only: 225 W. Washington, 24th Floor  
Chicago, IL 60606**

**United States Postal Service: P.O. Box 469011, San Antonio, TX 78246**

**POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Sandra Diaz, Debra A Deming, Anne Potter, Beverly A Woolford, Valorie Spates, Jennifer L Jakaitis, Susan A Welsh, Peter Healy, Aklima Noorhassan, Frances Rodriguez, Francesca Kazmierczak, Kemal Brkanovic

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

\$107,116,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 19th day of November, 2021.

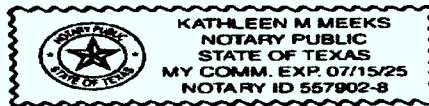


by: *Gary E. Grose*  
Gary E. Grose, President

STATE OF TEXAS  
COUNTY OF HARRIS SS:

On this 19th day of November, 2021 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.



*Kathleen M. MEEKS*  
(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 17th day of April, 2023.



*Austin W. King*  
Austin W. King, Secretary

**FINANCIAL STATEMENT  
ARGONAUT INSURANCE COMPANY  
STATUTORY BASIS as of 12/31/2021**

<b>ASSETS</b>		<b>LIABILITIES AND SURPLUS</b>	
CASH & INVESTED ASSETS	\$248,880,956	UNEARNED PREMIUMS	\$304,943,789
BONDS	\$1,181,510,880	LOSSES	\$595,583,927
STOCKS	\$674,977,267	LOSS ADJUSTMENT EXPENSES	\$198,245,975
INVESTMENT INCOME DUE AND ACCRUED	\$5,760,648	COMMISSIONS	-\$4,787,791
PREMIUM BALANCES	\$114,828,986	TAXES, LICENSES, AND FEES	\$10,269,846
NET DEFERRED TAX ASSET	\$13,325,137	OTHER EXPENSES	\$9,373,605
REINSURANCE RECEIVABLE	\$12,502,864	FUTURE OBLIGATIONS UNDER REINSURANCE TREATIES	\$22,471,315
OTHER ASSETS	\$40,514,092	CURRENT FEDERAL AND FOREIGN INCOME TAXES	\$0
<b>TOTAL ASSETS</b>	<b>\$2,392,360,630</b>	REMITTANCES AND ITEMS NOT ALLOCATED	\$2,510,048
		AMOUNTS WITHHELD/RETAINED BY COMPANY FOR OTHERS	\$11,771,696
		PAYABLES TO PARENT, SUBSIDIARIES, & AFFILIATES	\$52,193,204
		PAYABLE FOR SECURITIES	\$3,599,489
		PROVISION FOR REINSURANCE	\$16,445,734
		CEDED REINSURANCE PREMIUMS PAYABLE	\$47,083,249
		OTHER ACCRUED EXPENSES AND LIABILITIES	\$1,597,617
		<b>TOTAL LIABILITIES</b>	<b>\$1,321,201,703</b>
		COMMON CAPITAL STOCK	\$4,500,000
		GROSS PAID IN AND CONTRIBUTED SURPLUS	\$525,520,936
		UNASSIGNED SURPLUS	\$541,137,991
		<b>TOTAL SURPLUS TO POLICYHOLDERS</b>	<b>\$1,071,158,927</b>
		<b>TOTAL LIABILITIES &amp; SURPLUS</b>	<b>\$2,392,360,630</b>

Jace Westbrook, being duly sworn, says that he is Head of US Segment Accounting of Argonaut Insurance Company and that to the best of his knowledge, and belief, the foregoing statement is a true and correct statement of the financial condition of said Company as of the 31st of December, 2021.

Subscribed and sworn to before me this 5th day of April 2022

Debbie Boyer  
Notary Public

Jace Westbrook III  
Jace Westbrook III, Head of US Segment Accounting



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated. Not valid for Note, Loan, Letter of Credit, Currency Rate, Interest Rate or Residential Value Guarantees.

POWER OF ATTORNEY

Know All Persons By These Presents:

That the Arch Insurance Company, a corporation organized and existing under the laws of the State of Missouri, having its principal administrative office in Jersey City, New Jersey (hereinafter referred to as the "Company") does hereby appoint:

Aklima Noorhassan, Anne L. Potter, Beverly A. Woolford, Debra A. Deming, Frances Rodriguez, Francesca Kazmierczak, Jennifer L. Jakaitis, Kemal Brkanovic, Peter Healy, Sandra Diaz, Susan A. Welsh and Valorie Spates of New York, NY (EACH)

its true and lawful Attorney(s)in-Fact, to make, execute, seal, and deliver from the date of issuance of this power for and on its behalf as surety, and as its act and deed. Any and all bonds, undertakings, recognizances and other surety obligations, in the penal sum not exceeding One Hundred Fifty Million Dollars (\$150,000,000.00). This authority does not permit the same obligation to be split into two or more bonds In order to bring each such bond within the dollar limit of authority as set forth herein.

The execution of such bonds, undertakings, recognizances and other surety obligations in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by its regularly elected officers at its principal administrative office in Jersey City, New Jersey.

This Power of Attorney is executed by authority of resolutions adopted by unanimous consent of the Board of Directors of the Company on August 31, 2022, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them subject to the limitations set forth in their respective powers of attorney, to execute on behalf of the Company, and attach the seal of the Company thereto, bonds, undertakings, recognizances and other surety obligations obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the unanimous consent of the Board of Directors of the Company on August 31, 2022:

VOTED, That the signature of the Chairman of the Board, the President, or the Executive Vice President, or any Senior Vice President, of the Surety Business Division, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to the resolution adopted by the Board of Directors on August 31, 2022, and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company. In Testimony Whereof, the Company has caused this instrument to be signed and its corporate seal to be affixed by their authorized officers, this 17th day of March, 2023.

Attested and Certified

Regan A. Shulman, Secretary

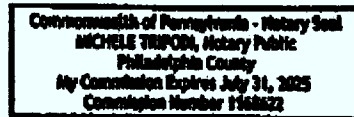


Arch Insurance Company

Stephen C. Ruschak, Executive Vice President

STATE OF PENNSYLVANIA SS
COUNTY OF PHILADELPHIA SS

I, Michele Tripodi, a Notary Public, do hereby certify that Regan A. Shulman and Stephen C. Ruschak personally known to me to be the same persons whose names are respectively as Secretary and Executive Vice President of the Arch Insurance Company, a Corporation organized and existing under the laws of the State of Missouri, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they being thereunto duly authorized signed, sealed with the corporate seal and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary acts for the uses and purposes therein set forth.



Michele Tripodi, Notary Public
My commission expires 07/31/2025

CERTIFICATION

I, Regan A. Shulman, Secretary of the Arch Insurance Company, do hereby certify that the attached Power of Attorney dated March 17, 2023 on behalf of the person(s) as listed above is a true and correct copy and that the same has been in full force and effect since the date thereof and is in full force and effect on the date of this certificate; and I do further certify that the said Stephen C. Ruschak, who executed the Power of Attorney as Executive Vice President, was on the date of execution of the attached Power of Attorney the duly elected Executive Vice President of the Arch Insurance Company.

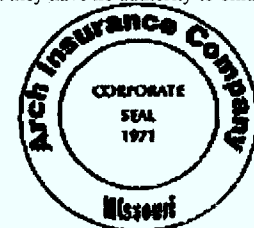
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the Arch Insurance Company on this 17th day of April, 2023

Regan A. Shulman, Secretary

This Power of Attorney limits the acts of those named therein to the bonds and undertakings specifically named therein and they have no authority to bind the Company except in the manner and to the extent herein stated.

PLEASE SEND ALL CLAIM INQUIRIES RELATING TO THIS BOND TO THE FOLLOWING ADDRESS:

Arch Insurance - Surety Division
3 Parkway, Suite 1500
Philadelphia, PA 19102



To verify the authenticity of this Power of Attorney, please contact Arch Insurance Company at SuretyAuthentic@archinsurance.com
Please refer to the above named Attorney-in-Fact and the details of the bond to which the power is attached.

**ARCH INSURANCE COMPANY  
STATEMENT OF FINANCIAL CONDITION  
DECEMBER 31, 2022**

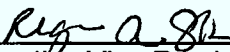
Assets

Cash & Cash Equivalents in Banks	\$164,221,743
Bonds owned	5,593,459,350
Stocks	661,945,887
Premiums in course of collection	759,892,858
Accrued interest and other assets	<u>1,233,903,208</u>
 Total Assets	 <u><u>\$ 8,413,423,046</u></u>

Liabilities

Reserve for losses and adjustment expenses	\$3,263,943,304
Reserve for unearned premiums	1,564,373,124
Ceded reinsurance premiums payable	408,386,710
Amounts withheld or retained by company for account of others	212,472,379
Reserve for taxes, expenses and other liabilities	<u>983,651,831</u>
 Total Liabilities	 \$6,432,827,348
 Surplus as regards policyholders	 <u>1,980,595,698</u>
 Total Surplus and Liabilities	 <u><u>\$8,413,423,046</u></u>


By:   
 \_\_\_\_\_  
 Executive Vice President, Chief  
 Financial Officer and Treasurer

Attest:   
 \_\_\_\_\_  
 Executive Vice President,  
 General Counsel and Secretary

State of New Jersey )  
 )                      SS  
 County of Hudson )

Thomas James Ahern, Executive Vice President, Chief Financial Officer and Treasurer and Regan Shulman, Executive Vice President, General Counsel and Secretary being duly sworn, of ARCH INSURANCE COMPANY, Missouri; and that the foregoing is a true and correct statement of financial condition of said company, as of December 31, 2022.

Subscribed and sworn to before me, this 14 day of March 2023

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

BRITTANY CONKLIN  
 Notary Public, State of New Jersey  
 Comm. # 50204279  
 My Commission Expires 11/07/2027

**CHUBB**

**Power of Attorney**

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company  
Westchester Fire Insurance Company | ACE American Insurance Company

**Know All by These Presents**, that **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Valorie Spates and Beverly A. Woolford of Garden City, New York; Kemal Brkanovic, Debra A. Deming, Sandra Diaz, Peter Healy, Pablo Garcia Horcajo, Francesca Kazmierczak, Aklima Noorhassan, Anne Potter and Frances Rodriguez of New York, New York -----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

**In Witness Whereof**, said **FEDERAL INSURANCE COMPANY**, **VIGILANT INSURANCE COMPANY**, **PACIFIC INDEMNITY COMPANY**, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** have each executed and attested these presents and affixed their corporate seals on this 11<sup>th</sup> day of August, 2022.

*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

*Stephen M. Haney*

Stephen M. Haney, Vice President



STATE OF NEW JERSEY  
County of Hunterdon ss.

On this 11<sup>th</sup> day of August, 2022 before me, a Notary Public of New Jersey, personally came Dawn M. Chloros and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Dawn M. Chloros and Stephen M. Haney, being by me duly sworn, severally and each for herself and himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal



KATHERINE J. ADELAAR  
NOTARY PUBLIC OF NEW JERSEY  
No. 2316655  
Commission Expires July 16, 2024

*Katherine J. Adelaar*  
Notary Public

**CERTIFICATION**

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

- (1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.
- (2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.
- (3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.
- (5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Dawn M. Chloros, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

- (i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
- (ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 17th day of April, 2023.



*Dawn M. Chloros*

Dawn M. Chloros, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:  
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

FEDERAL INSURANCE COMPANY

STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

December 31, 2021

(in thousands)


ASSETS		LIABILITIES AND SURPLUS TO POLICYHOLDERS	
Cash and Short Term Investments	\$ (567,308)	Outstanding Losses and Loss Expenses	\$ 8,701,383
United States Government, State and Municipal Bonds	4,271,534	Reinsurance Payable on Losses and Expenses	1,484,198
Other Bonds	5,994,673	Unearned Premiums	2,400,711
Stocks	675,588	Ceded Reinsurance Premiums Payable	366,332
Other Invested Assets	<u>1,647,712</u>	Other Liabilities	<u>488,472</u>
<b>TOTAL INVESTMENTS</b>	<b><u>12,022,201</u></b>	<b>TOTAL LIABILITIES</b>	<b><u>13,451,094</u></b>
Investments in Affiliates:		Capital Stock	20,980
Great Northern Ins. Co.	414,538	Paid-in Surplus	2,711,474
Vigilant Ins. Co.	354,996	Unassigned Funds	<u>1,903,522</u>
Chubb Indemnity Ins. Co.	183,242	<b>SURPLUS TO POLICYHOLDERS</b>	<b><u>4,635,976</u></b>
Chubb National Ins. Co.	190,801		
Other Affiliates	116,373		
Premiums Receivable	1,728,853		
Other Assets	<u>3,078,488</u>		
<b>TOTAL ADMITTED ASSETS</b>	<b><u>\$ 18,087,070</u></b>	<b>TOTAL LIABILITIES AND SURPLUS</b>	<b><u>\$ 18,087,070</u></b>

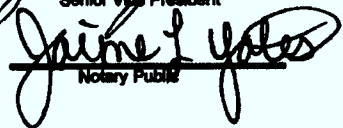
Investments are valued in accordance with requirements of the National Association of Insurance Commissioners. At December 31, 2021, investments with a carrying value of \$509,065,162 were deposited with government authorities as required by law.

STATE OF PENNSYLVANIA  
COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Federal Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company's financial condition as of the 31 st day of December, 2021.

Sworn before me on March 16, 2022

  
\_\_\_\_\_  
Senior Vice President

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

September 19, 2023  
My commission expires

Commonwealth of Pennsylvania - Notary Seal  
Jaime L. Yates, Notary Public  
Philadelphia County  
My commission expires September 19, 2023  
Commission number 1357070  
Member, Pennsylvania Association of Notaries



Ascot Surety & Casualty Company  
Ascot Insurance Company  
55 W 46<sup>th</sup> Street, 26<sup>th</sup> Floor  
New York, NY 10036

### Power of Attorney

**KNOW ALL MEN BY THESE PRESENTS:**

That Ascot Surety & Casualty Company, and Ascot Insurance Company, each a corporation organized and existing under the laws of the State of Colorado (the "Companies"), do hereby constitute and appoint

Aklima Noorhassan, Anne Potter, Debra A. Deming, Frances Rodriguez, Francesca Kazmierczak, Kemal Brkanovic and Sandra Diaz

of New York, NY and each its true and lawful Attorney(s)-in-Fact, with full authority to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, or, if the following line is filled in, only within the area and up to the amount therein designated, any and all bonds, undertakings, recognizances, and other contracts of indemnity or writings obligatory in the nature thereof, issued in the course of its surety business, and to bind the Companies as follows:

**Any such obligations in the United States not to exceed \$50,000,000.00**

The Companies hereby ratify and confirm all and whatsoever said Attorney(s)-in-fact may lawfully do in the premises by virtue of these presents. These appointments are made under and by authority of the following Resolutions adopted by the Board of Directors of the Companies, which resolutions are still in effect:

RESOLVED, that any of the Chief Executive Officer, the Chief Operating Officer or the Chief Underwriting Officer, acting in conjunction with the head of the surety business line for the Corporation (each an "Authorized Individual" and, collectively, the "Authorized Individuals"), are authorized to jointly appoint one or more attorneys-in-fact to represent and act for and on behalf of the Corporation in the transaction of the Corporation's surety business to execute (under the common seal of the Corporation if appropriate) bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof;

RESOLVED, that in connection with the Corporation's transaction of surety business the signatures and attestations of the Authorized Individuals and the seal of the Corporation be affixed to any such Power of Attorney or to any certificate relating thereto (electronic or otherwise) by facsimile and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal (electronic or otherwise) shall be valid and binding upon the Corporation when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

RESOLVED, that in connection with the Corporation's transaction of surety business, the facsimile electronic or mechanically reproduced signature of any Authorized Individual, whether made heretofore or hereafter, whenever appearing upon a copy of any Power of Attorney of the Corporation, with signatures affixed as next above noted, shall be valid and binding upon the Corporation with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with the respective corporate seals and to be executed by the individuals named below who are duly authorized and empowered to execute this Power of Attorney on the Companies' behalf, this 23<sup>rd</sup> day of August, 2022.



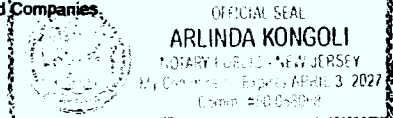
ASCOT SURETY & CASUALTY COMPANY  
ASCOT INSURANCE COMPANY

Matthew Kramer  
Matthew Kramer (Chief Executive Officer)

Tara Quigley  
Tara Quigley (Executive Vice President, Surety)

STATE OF NEW JERSEY )  
COUNTY OF MIDDLESEX ) ss.

On this 23<sup>rd</sup> day of August 2022, before me came the above named Chief Executive Officer of each of Ascot Surety & Casualty Company and Ascot Insurance Company and the head of the surety business line for each of Ascot Surety & Casualty Company and Ascot Insurance Company, to me personally known to be the individuals described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of Ascot Surety & Casualty Company and Ascot Insurance Company, and that the said corporate seals and signatures were duly affixed and subscribed to said instrument by the authority and direction of said Companies.



Arlinda Kongoli  
Notary Public  
My commission expires on April 3, 2027

I, the undersigned Secretary of the Company, do hereby certify that the foregoing excerpts of the Resolution adopted by the Board of Directors of the Companies, and the Power of Attorney issued pursuant thereto, are true and correct, and further certify that both the Resolution and the Power of Attorney are still in full force and effect.

This Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the Companies.

RESOLVED, that in connection with the Corporation's transaction of surety business the signatures and attestations of the Authorized Individuals and the seal of the Corporation be affixed to any such Power of Attorney or to any certificate relating thereto (electronic or otherwise) by facsimile and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal (electronic or otherwise) shall be valid and binding upon the Corporation when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Companies, this 17<sup>th</sup> day of April, 2023

ASCOT SURETY & CASUALTY COMPANY  
ASCOT INSURANCE COMPANY

Jeff Sipos  
Jeff Sipos, Secretary



**Ascot Surety & Casualty Company**  
**Short Form Financial Statement**  
**as of December 31, 2021**

<b>Assets:</b>		<b>Liabilities</b>	
Cash and Bank Deposits	\$ 4,310,735	Unearned Premiums	\$ -
Bonds- US Government*	2,277,721	Reserve for Claims & Claims Expense	-
Other Bonds*	975,180	Funds Held Under Reinsurance Treaties	-
Stocks*	208,743,918	Reserve for Dividends to Policyholders	-
Real Estate	-	Additional Statutory Reserve	-
Agents' Balances or Uncollected Premiums	6,607	Reserve for Commissions, Taxes & Other Liabilities	<u>178,632</u>
Accrued Interest and Rents	30,331		
Other Admitted Assets	<u>48,995</u>	<b>Total Liabilities</b>	<b><u>178,632</u></b>
<b>Total Admitted Assets</b>	<b><u>216,393,487</u></b>	Special Surplus Funds	\$ -
		Capital Stock	2,500,000
		Paid in Surplus	211,420,117
		Unassigned Surplus	<u>2,294,738</u>
		<b>Surplus to Policyholders</b>	<b><u>216,214,855</u></b>
		<b>Total Liabilities &amp; Surplus</b>	<b><u>216,393,487</u></b>

\*Bonds are stated at amortized cost. Common Stock in Affiliate is stated at statutory surplus plus unamortized goodwill.


The foregoing financial information is taken from Ascot Surety and Casualty Company's financial statement filed with Colorado Division of Insurance.

I, SHANELLE BURKE, Financial Controller of Ascot Surety & Casualty Company (the "Corporation"), do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of the Corporation, as of December 31, 2021, to the best of my knowledge and belief.

  
 \_\_\_\_\_  
 Financial Controller

I, JEFF SIPOS, Secretary of the Corporation, do hereby certify that the foregoing is a true and accurate signature of the Financial Controller of the Corporation.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the seal of said Corporation at New York, NY, this 21 day of day of September of 2022.

  
 \_\_\_\_\_  
 Secretary