

(2) *prior to the entry of such judgment the board shall have been given notice of intention to enter the judgment and file a claim thereon against the fund and shall have been afforded an opportunity to take such action as it shall deem advisable under section 145-O.*

(b) *If the court, upon a hearing for the allowance of any claim against the fund, finds that it was a claim which was not assigned by the board to an insurer in accordance with section 145F, or that the action upon such claim was not fully and fairly defended, or that the judgment thereon was entered upon the consent or with the agreement of the defendant, the court shall allow such claim but shall order it to be paid only in such sum as the court shall determine to be justly due and payable out of the fund, on the basis of the actual amount of damages for which the defendant was liable to the plaintiff under the cause of action upon which the judgment was rendered, subject to the limitations stated in section 145M, notwithstanding that the judgment is for a greater amount.*

145-O. Defense of default actions.

(a) *When the board receives notice, as provided in section 145M, the insurer to which such action has been assigned may through counsel enter an appearance, file an answer, appear at the trial, defend the action or take such other action as it may deem appropriate on the behalf and in the name of the defendant, and take recourse to any appropriate method of review on behalf of, and in the name of, the defendant.*

(b) *In the event that the time allowed for filing an answer has expired or judgment has been entered by default in any such action, the insurer to which the action has been assigned shall be granted a reasonable time after the receipt of notice by the board to answer or to make application for relief against the judgment and leave to answer and defend such action.*

145P. Collusive judgments. *No claim against the fund shall be allowed in any case in which the court shall find, upon the hearing for the allowance of the claim, that the judgment upon which the claim is founded was obtained by fraud, or by collusion of the plaintiff and of any defendant in the action, relating to any matter affecting the cause of action upon which such judgment is founded or the amount of damages assessed therein.*

145Q. Assignments of judgments to treasurer. *The treasurer shall not pay any sum from the fund, in compliance with an order made for that purpose, in any case in which the claim is founded upon a judgment, except a judgment obtained against the commissioner under this sub-title, until the applicant assigns the judgment to the commissioner, and, thereupon, the commissioner shall be deemed to have all the rights of the judgment creditor under the judgment and shall be entitled to enforce the same for the full amount thereof with interest and costs, and if more money is collected upon any such judgment than the amount paid out of the fund, the commissioner shall pay the balance, after reimbursing the fund, to the judgment-creditor.*

145R. "Hit-and-run" cases.

(a) *When the death of, or personal injury to, any person arises out of the ownership, maintenance or use of a motor vehicle in this*