

(2) THE FUND IS ENTITLED TO EACH DEFENSE THAT WOULD HAVE BEEN OR IS AVAILABLE TO THE UNINSURED OWNER OR DRIVER.

(C) COOPERATION OF DEFENDANT.

(1) A DEFENDANT SHALL COOPERATE WITH THE FUND IN DEFENSE OF A CLAIM IN WHICH THE FUND HAS INTERVENED UNDER THIS SUBTITLE.

(2) IF THE DEFENDANT FAILS TO COOPERATE, THE FUND MAY APPLY TO THE COURT FOR AN ORDER THAT DIRECTS COOPERATION OR PROCEED AS PROVIDED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 243H(b)(4) through (6).

In subsection (b)(2) of this section, the reference to "driver" is substituted for the former reference to "operator". See the General Revisor's Note to this title.

Defined term: "Fund" § 20-101

20-607. JUDICIAL REVIEW.

AN APPEAL TO THE APPROPRIATE COURT MAY BE TAKEN FROM A FINAL ORDER, DECREE, OR JUDGMENT OF A COURT MADE UNDER THIS SUBTITLE:

(1) THAT DEBARS A CLAIMANT FROM FURTHER PROCEEDING AGAINST THE FUND OR DENIES THE CLAIM;

(2) THAT AWARDS THE CLAIMANT LESS THAN THAT TO WHICH THE CLAIMANT BELIEVES THE CLAIMANT IS ENTITLED; OR

(3) EXCEPT AS PROVIDED IN § 20-605 OF THIS SUBTITLE, THAT CAUSES THE DEFENDANT, THE UNINSURED PARTY, THE FUND, OR OTHER PARTY TO BE AGGRIEVED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 243H(b)(7).

In the introductory language of this section, the former reference to a final order, decree, or judgment made under "the rules adopted by the Fund and the Court of Appeals" is deleted as implicit in the reference to a final order, decree, or judgment "made under this subtitle".

Also in the introductory language of this section, the former description that included the "Court of Appeals in the manner provided by law and rule of the court" as an "appropriate court" is deleted as unnecessary in light of the implication contained in this section that the appeal process must meet all requirements imposed by statutory law and the rules of court.

Defined term: "Fund" § 20-101