

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

M. Diane Koken,
Insurance Commissioner of the
Commonwealth of Pennsylvania,
Plaintiff

v.

Reliance Insurance Company,
Defendant

No. 269 M.D. 2001

RECEIVED AND FILED
COMMONWEALTH COURT
OF PA (PHILA)
2005 FEB 10 A 9:40

ORDER

AND NOW, this 10th day of February, 2005, it is hereby
ORDERED:

1. That, pursuant to this Court's September 9, 2002 order, G. Alan Bailey, Esq. is appointed referee and assigned the following objections:

Objector: Housing Authority of the City of New Haven
Claim Numbers: 1966700, 1966704, 1966706, 2126517, and
2126523

Objector: Seelye Stevenson Value Knech/Delauw/Cat Joint Venture
Claim Number: 2110135

Objector: Greenman-Pedersen, Inc., Individually and on Behalf of
Greenman-Pedersen/Vollmer/Ammann Whitney Joint Venture.
Claim Number: 2107925

Objector: Boornazian, Jensen & Garthe
Claim Number: 1953657

Objector: Washington Group International, Inc.
Claim Numbers: 2057612 and 2057619

The referee shall hear objections to the notices of determination issued by the Liquidator, submit findings of fact, where appropriate and necessary, and issue recommended decisions regarding said objections.

2. The Liquidator is hereby ordered to file a substantive response to the above objections within thirty (30) days of the date of this order, if not already filed, or respond within that time period that it will issue no substantive response.

3. The Liquidator shall contact the referee to request the scheduling of a conference and/or administrative hearing, and the referee shall promptly notify the parties of the place, time and date on which the hearing or conference will be held. Referee Bailey can be contacted at:

G. Alan Bailey, Esq.
1218 Waverly Road
Gladwyne, PA 19035
(610) 524-4700

The Liquidator and objectors shall be prepared to submit copies of their respective notices of determination, objections thereto, and all motions and other filings, if any, to the referee. The Liquidator and objectors shall also be prepared to bring all necessary witnesses, exhibits and documentation to the scheduled hearing. Requests for continuances shall be granted only on good cause shown;

4. The compensation for the referee hereby appointed is set by the Court at the rate of \$185 per hour, and shall be paid by the Liquidator from the Estate of Reliance Insurance Company. The referee hereby appointed shall submit to the Court an invoice for services after he has submitted a recommended decision, and he shall forward a copy of that invoice to the Liquidator, whereupon

the Liquidator shall, in thirty (30) days, effect payment of said invoice from the estate of the Reliance Insurance Company unless otherwise directed by the Court or unless the Liquidator shows cause to the Court, in writing, why she should not make such payment;

5. The referee may use the Court's facilities at The Widener Building, Suite 900, 1339 Chestnut Street, Philadelphia, PA 19107 for any conferences or hearings that are necessary, and the Court shall issue such subpoenas as the referee shall deem necessary; and

6. The Liquidator shall forthwith serve a copy of this Order on the objectors listed herein and their counsel and notify the Court that service has been completed.



JAMES GARDNER COLINS, President Judge