

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

M. DIANE KOKEN  
Insurance Commissioner of the  
Commonwealth of Pennsylvania,

Plaintiff,

v.

RELIANCE INSURANCE COMPANY,

Defendant.

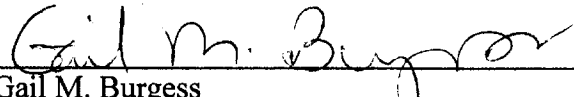
DOCKET NO. 269 MD 2001

RECEIVED AND FILED  
COMMONWEALTH COURT  
OF PENNSYLVANIA  
2005 MAR 23 P 2:13

**AFFIDAVIT OF SERVICE**

Pursuant to the Court's Order of March 22, 2005, the undersigned, on behalf of M. Diane Koken, Insurance Commissioner of the Commonwealth of Pennsylvania in her capacity as the Statutory Liquidator of Reliance Insurance Company hereby deposes and says that service of the Court's March 22, 2005 Order assigning proof of claim number 2095337 to Referee G. Alan Bailey, Esquire was made on the claimant's counsel Thomas S. Brown, Esquire and John C. Hart, Esquire via facsimile and first class mail on March 23, 2005 and on the claimant Factory Mutual Insurance Company by first class mail on March 23, 2005. The confirmation sheet reflecting service to Thomas S. Brown, Esquire and John C. Hart, Esquire by facsimile on March 23, 2005 is attached hereto.

Dated: March 23, 2005

  
Gail M. Burgess  
Vice President, Associate General Counsel  
Reliance Insurance Company (In Liquidation)  
Three Parkway  
Philadelphia, PA 19102  
Telephone: (215) 864-4210  
Facsimile: (215) 864-4141  
On behalf of the Statutory Liquidator of  
Reliance Insurance Company

MODE = MEMORY TRANSMISSION

START=MAR-23 12:57

END=MAR-23 13:05

FILE NO.=449

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-RELIANCE INSURANCE -

\*\*\*\*\* -LAW DEPT. - \*\*\*\*\* 12158641544- \*\*\*\*\*

**Reliance Insurance Company (In Liquidation)**  
Three Parkway  
Philadelphia, PA 19102-1376

Gail M. Burgess  
Vice President, Associate General Counsel



**Reliance**

March 23, 2005

**VIA FIRST CLASS MAIL AND FACSIMILE 215-636-0366**

Thomas S. Brown, Esquire  
Hecker, Brown, Sherry and Johnson LLP  
1700 Two Logan Square  
18<sup>th</sup> and Arch Streets  
Philadelphia, PA 19103-2769

**VIA FIRST CLASS MAIL AND FACSIMILE 817-870-2427**

John C. Hart, Esquire  
Brown, Dean, Wiseman, Liser, Proctor & Hart, L.L.P.  
200 Fort Worth Club Building  
306 West 7<sup>th</sup> Street  
Fort Worth, TX 76102-4905

**VIA FIRST CLASS MAIL**

Factory Mutual Insurance Company  
306 West 7th Street  
Suite 200  
Fort Worth, TX 76102

**Re: March 22, 2005 Order of the Commonwealth Court of Pennsylvania  
Regarding Proof of Claim Number 2095337  
Claimant: Factory Mutual Insurance Company**

Dear Gentlemen:

On behalf of the Statutory Liquidator I am sending to you the enclosed copy of the March 22, 2005 Order of the Commonwealth Court of Pennsylvania which assigns the claim referenced above to Referee G. Alan Bailey, Esquire to hear and resolve your objection.

Very truly yours,

Gail M. Burgess

MODE = MEMORY TRANSMISSION

START=MAR-23 14:12

END=MAR-23 14:14

FILE NO. = 189

STN NO.	COM	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
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-GOV'T & IND.RELATIONS -

\*\*\*\*\* -PHILA.OFFICE - \*\*\*\*\* 215 864 4640- \*\*\*\*\*

**Reliance Insurance Company (In Liquidation)**  
Three Parkway  
Philadelphia, PA 19102-1376

Gail M. Burgess  
Vice President, Associate General Counsel



**Reliance**

March 23, 2005

**VIA FIRST CLASS MAIL AND FACSIMILE 215-636-0366**

Thomas S. Brown, Esquire  
Hecker, Brown, Sherry and Johnson LLP  
1700 Two Logan Square  
18<sup>th</sup> and Arch Streets  
Philadelphia, PA 19103-2769

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Brown, Dean, Wiseman, Liser, Proctor & Hart, L.L.P.  
200 Fort Worth Club Building  
306 West 7<sup>th</sup> Street  
Fort Worth, TX 76102-4905

**VIA FIRST CLASS MAIL**

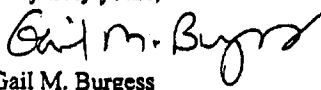
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Gail M. Burgess

**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

**ORDER**

RECEIVED AND FILED  
COMMONWEALTH COURT  
OF PA (PHILA.)  
2005 MAR 22 P 1:41

**AND NOW**, this 22nd day of March, 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 objection:

Objector: Factory Mutual Insurance Company

Claim Number: 2095337

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

2. 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:

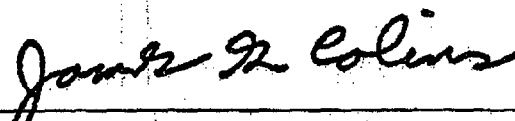
G. Alan Bailey, Esq.  
1218 Waverly Road  
Gladwyne, PA 19035  
(610) 524-4700

The Liquidator and objector 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 objector 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;

3. 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;

4. 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

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



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**JAMES GARDNER COLINS, President Judge**