

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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

Plaintiff,

- vs -

No. 269 M.D. 2001

Reliance Insurance Company,

Defendant.

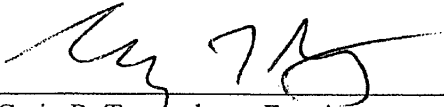
CERTIFICATE OF SERVICE

I, CRAIG R. TRACTENBERG, of Nixon Peabody LLP, counsel to Sage Realty, being duly sworn, deposes and says that:

1. On May 10, 2005, I caused a true and correct Subpoena addressed to Cadwalader, Wickersham & Taft, LLP and Order to Take Depositions and for Production of Documents Pursuant to CPLR 3102(e) to be served upon Cadwalader at 1 World Financial Center, New York, New York. A copy of the Affidavit of Service of Subpoena (the "Affidavit") is attached hereto as Exhibit "A."
2. The Affidavit was served upon counsel and interested parties on the attached Service List on the below date, via first class mail.

NIXON PEABODY LLP

Dated: June 30, 2005

By: 
Craig R. Tractenberg, Esquire

See Service List Attached.

EXHIBIT A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

IN THE MATTER OF THE APPLICATION OF SAGE REALTY CORPORATION,
PETITIONER,

Index No. 105938/2005

Plaintiff(s)

against

Defendant(s)

AFFIDAVIT OF
SERVICE OF SUBPOENA

ORDER TO TAKE DEPOSITIONS AND FOR
PRODUCTION OF DOCUMENTS PURSUANT TO CPLR
3102 (e), AFFIRMATION IN SUPPORT

STATE OF NEW YORK, COUNTY OF NEW YORK SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at CORONA, NEW YORK
That on 5/10/05 at 2:04 P.M., at 1 WORLD FINANCIAL CENTER, NEW YORK, NEW YORK

deponent served the within subpoena on CADWALADER, WICKERSHAM & witness therein named,
ORDER TO TAKE DEPOSITIONS AND FOR PRODUCTION OF DOCUMENTS TAFT, LLP, ACCEPTED BY WILLIAM RAFTERY
PURSUANT TO CPLR 3102(e), AFFIRMATION IN SUPPORT

- INDIVIDUAL by delivering a true copy to said witness personally; deponent knew the person so served to be the witness described in said subpoena.
 - 1. 1. 1. 1.
- CORPORATION a corporation, by delivering thereat a true copy to
 - 2. 2. 2. 2.
- SUITABLE AGE PERSON by delivering thereat a true copy to a person of suitable age and discretion. Said premises is witness'—actual place of business—dwelling place—usual place of abode—within the state.
 - 3. 3. 3. 3.
- AFFIXING TO DOOR, ETC. by affixing a true copy to the door of said premises, which is witness'—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find witness or a person of suitable age and discretion thereat, having called there
 - 4. 4. 4. 4.

NEW YORK
COUNTY CLERK'S OFFICE

MAY 17 2005

NOT COMPARED
WITH COPY FILED

- MAILING TO RESIDENCE USE WITH 3 OR 4
 - 5A. 5A. 5A. 5A.
- MAILING TO BUSINESS USE WITH 3 OR 4
 - 5B. 5B. 5B. 5B.

- DESCRIPTION USE WITH 1, 2, OR 3
 - Male White Skin Black Hair White Hair 14-20 Yrs. Under 5' Under 100 Lbs.
 - Female Black Skin Brown Hair Balding 21-35 Yrs. 5'0"-5'3" 100-130 Lbs.
 - Yellow Skin Blonde Hair Mustache 36-50 Yrs. 5'4"-5'8" 131-160 Lbs.
 - Brown Skin Gray Hair Beard 51-65 Yrs. 5'9"-6'0" 161-200 Lbs.
 - Red Skin Red Hair Glasses Over 65 Yrs. Over 6' Over 200 Lbs.
- Other identifying features:

At the time of said service, deponent paid (tendered) in advance \$ 19.00

the authorized traveling expenses and one day's witness fee.

Sworn to before me on
5/11/05

JOHN DICANIO
Notary Public, State of New York
No. 01-D1497768
Qualified in Westchester County
Commission Expires Feb. 11, 2007

JUAN D. AGUIRRE
License No. 843839