

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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

v.

Reliance Insurance Company,
Defendant

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No. 269 M.D. 2001

Re: *Petition to Appoint a Referee; Objection in POC No. 1447198,
Kenneth Burres*

RECEIVED AND FILED
COMMONWEALTH COURT
OF PENNSYLVANIA
2006 JAN -3 P 1:36

ORDER

AND NOW, this 3rd day of January 2006, it is hereby **ORDERED** that the Petition to Appoint referee to resolve dispute regarding notice of determination on POC No. 1447198 is **GRANTED**. It is **FURTHER ORDERED** that Russell M. Nigro, Esq., is appointed as Referee to hear the Objection of Kenneth Burres POC No. 1447198 to the Notice of Determination issued by the Liquidator, and all matters subsequently related thereto; and **FURTHER**, to submit findings of fact, where appropriate and necessary, and to issue a recommended decisions.

Further, **all parties** shall contact the referee forthwith 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 Nigro can be contacted at:

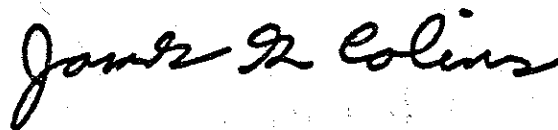
Russell M. Nigro, Esq.
1818 Market Street, Suite 3205
Philadelphia, PA 19103
(215) 287-5866

If requested, the parties 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 parties 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.

And Further, 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

Further, the compensation for the referee hereby appointed is set by the Court at the rate of \$225 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.

Additionally, the Liquidator, through her counsel, is hereby directed to serve a copy of this order, forthwith, upon all parties is directed to file with the court an affidavit, that service, as outlined above, has been effectuated.



JAMES GARDNER COLINS, President Judge