

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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

Plaintiff,

v.

RELIANCE INSURANCE COMPANY,

Defendant.

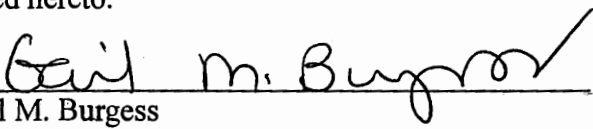
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COMMONWEALTH COURT  
OF PA (PHILA)  
2006 JAN - 5 P 12:19

AFFIDAVIT OF SERVICE

Pursuant to the Court's Order of January 3, 2006, 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 January 3, 2006 Order assigning the Objections of Barry, McTiernan and Moore to Referee Russell M. Nigro, Esquire, was made on the objector Barry, McTiernan and Moore via facsimile and first class mail on January 4, 2006. The confirmation sheet reflecting service to the claimant by facsimile on January 4, 2006 is attached hereto.

Dated: January 5, 2006

  
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=JAN-04 15:17

END=JAN-04 15:18

FILE NO.=637

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-RELIANCE INSURANCE -

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

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

Gail M. Burgess  
Vice President, Associate General Counsel



January 4, 2006

**VIA FIRST CLASS MAIL AND FACSIMILE 212-608-8901**

Patricia A. Sullivan, Esquire  
Barry McTiernan & Moore  
2 Rector Street  
New York, NY 10006

**Re: January 3, 2006 Order of the Commonwealth Court of Pennsylvania  
Regarding Objections to Notices of Determination as to  
The Firm of Barry, McTiernan and Moore**

Dear Ms. Sullivan:

In accordance with the enclosed Order, on behalf of the Statutory Liquidator I am sending to you the enclosed copy of the January 3, 2006 Order of the Commonwealth Court of Pennsylvania which assigns the claim referenced above to Referee Nigro to hear and resolve your objection.

Very truly yours,

*Gail M. Burgess*  
Gail M. Burgess

GB:lm

Enclosure

cc: Jim Machowski

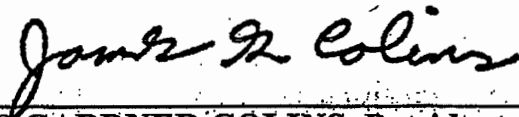


If requested, the parties shall be prepared to submit copies of their respective notices of determination, objections thereto, and all motions and other filings, if any, to the referee. The parties shall also be prepared to bring all necessary witnesses, exhibits and documentation to the scheduled hearing. 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.



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JAMES GARDNER COLINS, President Judge