

THE COMMONWEALTH COURT OF PENNSYLVANIA

COPY

M. DIANE KOKEN,	:	
Insurance Commissioner of the	:	
Commonwealth of Pennsylvania,	:	Honorable James Gardiner Colins,
	:	President Judge
Plaintiff,	:	
	:	No. 269 M.D. 2001
v.	:	
	:	
RELIANCE INSURANCE COMPANY,	:	Before Referee Byron R. LaVan
	:	
Defendant.	:	

*IN RE: Objections of Phoenix Assurance PLC, Commercial Union Assurance Company, The British Aviation Insurance Company Ltd., Marine Insurance Company Ltd., And The Yorkshire Insurance Ltd. ("BAIG Companies") to the Statutory Liquidator's Denial of A Direct Payment Request*

**Exhibit List**

Exhibit Number	Document Description	Bates Range	
1	ABC Master Line Slip effective for 12 months commencing 1 December 1995.	BEN 00064-78	Stipulated
2	ABC Master Line Slip effective for 12 months commencing 1 December 1996.	BEN 00079-98	Stipulated
3	ABC Master Line Slip effective for 12 months commencing 1 December 1997.	BEN 00099-118	Stipulated
4	ABC Master Line Slip effective for 12 months commencing 1 December 1998.	BEN 00119-137	Stipulated
5	Letter from Crawley Warren & Co. Ltd. to all interested brokers attaching 1995 ABC Master Line Slip and alternate security arrangements, dated 18 December 1995	BEN 00138-196	Stipulated
6	Letter from Crawley Warren & Co. Ltd. to all interested brokers attaching 1996 ABC Master Line Slip and alternate security arrangements, dated 17 December 1996	BEN 00197-267	Stipulated

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7	Letter from Crawley Warren & Co. Ltd. to all interested brokers attaching 1997 ABC Master Line Slip and alternate security arrangements, dated 10 December 1997	BEN 00310-378	Stipulated
8	Letter from Crawley Warren & Co. Ltd. to all interested brokers attaching 1998 ABC Master Line Slip and alternate security arrangements, dated 4 December 1998	BEN 00268-309	Stipulated
9	Declaration under the 1995 ABC Program of Cabot Corporation, dated 24 June 1996.	REL 002160-63	Stipulated
10	Declaration under the 1995 reinsurance arrangement between the BAIG Companies and Reliance Insurance Company of Cabot Corporation, dated 24 June 1996.	BAIG 000515-17	Stipulated
11	Declaration under the 1995 ABC Program of Ingersoll-Rand Company, dated 24 June 1996.	REL 003095-96	Stipulated
12	Declaration under the 1995 reinsurance arrangement between the BAIG Companies and Reliance Insurance Company of Ingersoll-Rand Company, dated 24 June 1996.	BAIG 000535-36	Stipulated
13	Facsimile from Marsh & McLennan to C.T. Bowring, dated 7 August 1996, with attachment.	REL 003104-003107	Stipulated
14	Claim Settlement sent by J&H Marsh & McLennan Ltd. and received by Reliance Insurance Company on 20 May 1999.	REL 003063	Stipulated

15	Claim Credit Note sent by J&H Marsh & McLennan Ltd. and received by Reliance Insurance Company on 20 May 1999.	REL 003062	Stipulated
16	List of ABC affected assureds, state and broker	N/A Exhibit 7 to Hardy/Cox Deposition	Stipulated
17	List of 1994 Declarations under ABC	BEN 00062	Stipulated
18	List of 1995 Declarations under ABC	BEN 00054-55	Stipulated
19	List of 1996 Declarations under ABC	BEN 00056-57	Stipulated
20	List of 1997 Declarations under ABC	BEN 00379-80	Stipulated
21	List of 1998 Declarations under ABC	BEN 00060-61	Stipulated
22	List of ABC Brokers Committee membership 1995-1998 ABC Programs	BEN 00052-53	Stipulated
23	ABC Meeting Minutes, dated 11 June 1953	BEN 0002- 0004	Stipulated
24	ABC Master Agreement made 1 January 1955	BEN 00006-37	Stipulated
25	List of 1955 Declarations under ABC	BEN 00001	Stipulated
26	Letter from Crawley Warren & Co. Ltd. to Reliance dated 12 October 1995	REL 000538	Stipulated
27	Letter from Crawley Warren & Co. Ltd. to Reliance, attaching 1995 Master Line Slip, dated 7 November 1995	REL 000543- 550	Stipulated
28	Letter from Crawley Warren & Co. to Reliance attaching agreement of Reliance under 1995 ABC Master Line Slip, dated 18 December 1995.	REL 000429- 443	Stipulated
29	Memorandum Telefax from Reliance to Crawley Warren, dated 26 November 1996	REL 000208	Stipulated
30	Letter from Crawley Warren & Co. to Reliance, dated 29 November 1996	REL 000207	Stipulated

31	Letter from Crawley Warren & Co. to Reliance attaching agreement of Reliance under 1996 ABC Master Line Slip, dated 29 November 1996.	REL 000411-428	Stipulated
32	Letter from Crawley Warren & Co. to Reliance, dated 12 November 1997, attaching 1997 Master Line Slip agreed by Leading Underwriters with Aircraft Grounding Liability	REL 000189-206	Stipulated
33	Facsimile from Reliance Insurance Company to Crawley Warren & Co. Ltd. dated 25 November 1997.	REL 000186	Stipulated
34	Letter from Crawley Warren & Co to Reliance, dated 28 November 1997, with handwritten notes	REL 000278-279	Stipulated
35	Letter from Crawley Warren & Co. to Reliance attaching agreement of Reliance under 1997 ABC Master Line Slip, dated 5 December 1997.	REL 000384-410	Stipulated
36	Letter from Crawley Warren & Co. to Reliance, dated 29 October 1998, attaching 1998 Master Line Slip agreed by Leading Underwriters	REL 000136-157	Stipulated
37	Reliance Memorandum dated 11 November 1998	REL 000088	Stipulated
38	Letter from Crawley Warren & Co. to Reliance attaching agreement of Reliance under 1998 ABC Master Line Slip, dated 30 November 1998.	N/A	Stipulated
39	Letter from Crawley Warren & Co. to Reliance, dated 2 January 1998, attaching an application form and wording for new Aircraft Grounding Liability Insurance	N/A Exhibit 8 to Hardy/Cox Deposition	Stipulated
40	Reinsurance Cover Note No. AJ950006 sent from Crawley Warren & Co. Ltd. to Reliance, dated 18 December 1995.	REL 000031-33, 28	Stipulated
41	Reinsurance Cover Note No. AJ960006 sent from Crawley Warren & Co. Ltd. to Reliance, dated 10 January 1997.	REL 000024-25, 27, 29	Stipulated

42	Reinsurance Cover Note Nos. AK970006 and AK970010 sent from Crawley Warren & Co. Ltd. to Reliance, dated 17 December 199[7].	REL 000016-22	Stipulated
43	Reinsurance Cover Note No. AJ980006 sent from Crawley Warren & Co. Ltd. to Reliance, dated 5 February 1999.	REL 000011-14	Stipulated
44	Reliance Ceded Reinsurance Department Memorandum attaching ABC reinsurance effective 1 December 1995	REL 000484-504	Stipulated
45	Reliance Ceded Reinsurance Department Memorandum attaching ABC reinsurance effective 1 December 1996	REL 000457-479	Stipulated
46	Reliance Ceded Reinsurance Department Memorandum attaching ABC reinsurance effective 1 December 1997	REL 00098-120	Stipulated
47	Cover Note AK980014 for reinsurance of Reliance ABC line, dated 5 January 1999	REL 000126-135	Stipulated
48	Declaration under the 1995 reinsurance arrangement between the BAIG Companies and Reliance Insurance Company of Loos & Co., Inc., dated 17 April 1996.	BAIG 000585-87	Stipulated
49	Declaration under the 1996 ABC Program of Hanson Industries, Inc., undated, sent to Reliance on 15 August 1996.	REL 002835-37	Stipulated
50	Declaration under the 1996 reinsurance arrangement between the BAIG Companies and Reliance Insurance Company of Hanson Industries, Inc., dated 7 August 1997	BAIG 000421-23	Stipulated
51	Copy of the Order of Liquidation, dated 3 October 2001.	N/A	Stipulated
52	Copy of the Petition to Approve Guidelines Regarding the Direct Payment of Reinsurance Proceeds Pursuant to 40 P.S. § 221.34.	N/A	Stipulated
53	Copy of the Order and Guidelines, dated 26 April 2002.	N/A	Stipulated

54	Electronic Communication from David Hardy to Louis Nunez, dated 4 December 2002, attaching list of ABC affected assureds	N/A Exhibit 2 to Hardy/Cox Deposition	Stipulated
55	Copy of the letter from Benfield Greig f/n/a Crawley Warren & Co. to Reliance, dated 4 March 2002.	Exhibit 11 to Hardy/Cox Deposition	Stipulated
56	Affidavit of David Hardy of Benfield Group f/k/a Crawley Warren & Co. Ltd., dated 21 February 2003	Exhibit 31 to Hardy/Cox Deposition	NOT Stipulated
57	Testimony of David Hardy of Benfield Group f/k/a Crawley Warren & Co. Ltd., dated 30 September 2005  Green is designated by Reliance/Liquidator  Pink is designated by BAIG  Green/Pink is designated by both parties	N/A	Witness Unavailable  Testimony Designated by Parties
58	Affidavit of David Hardy of Benfield Group f/k/a Crawley Warren & Co. Ltd., dated 12 April 2006	N/A	Stipulated
59	Testimony of David Hardy of Benfield Group f/k/a Crawley Warren & Co. Ltd., dated 19 April 2006		Draft
60	Testimony of Robert Webster of Marsh Ltd., dated 29 March 2006  Green is designated by Reliance/Liquidator  Pink is designated by BAIG  Green/Pink is designated by both parties	N/A	Witness Unavailable  Testimony Designated by Parties
61	Letter from Reliance to Individual insureds date December 17, 2002	Exhibit 12 to Hardy/Cox Deposition	Stipulated
62	D. Myers CV	N/A	NOT Stipulated
63	ABC Master Wordings	N/A	Stipulated