

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

JOEL S. ARIO, ACTING  
INSURANCE COMMISSIONER OF THE  
COMMONWEALTH OF  
PENNSYLVANIA,

Plaintiff,

v.

RELiance INSURANCE COMPANY.

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: NO. 269 M.D. 2001  
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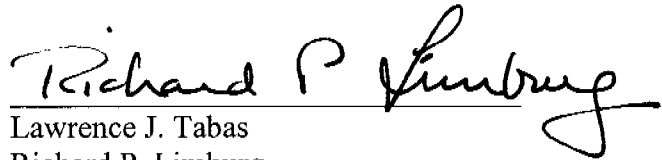
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**PRAECIPE TO SUBSTITUTE PROPOSED FORM OF ORDER  
FOR PETITION TO APPROVE A SETTLEMENT AGREEMENT  
BETWEEN RELIANCE AND CONSOLIDATED FREIGHTWAYS**

To the Prothonotary:

On December 20, 2007, Reliance Insurance Company (in Liquidation) ("Reliance") filed a petition to approve a settlement agreement between itself and Consolidated Freightways Corporation ("Consolidated Freightways"), with a proposed form of order. Reliance and Consolidated Freightways wish to substitute a new proposed form of order for the form of order originally attached to the petition. The new proposed form of order is attached hereto as Exhibit "A."

By:



Lawrence J. Tabas  
Richard P. Limburg  
Obermayer Rebmann Maxwell & Hippel LLP  
Attorneys for Reliance Insurance Company  
(In Liquidation)

Dated: January 2, 2008

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

<p><b>Joel S. Ario, Acting Insurance Commissioner of the Commonwealth of Pennsylvania,</b></p> <p style="text-align: center;"><b>Plaintiff</b></p> <p style="text-align: center;">v.</p> <p><b>Reliance Insurance Company,</b></p> <p style="text-align: center;"><b>Defendant</b></p>	<p><b>No. 269 M.D. 2001</b></p>
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**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2008, upon consideration of the Petition of Reliance Insurance Company (in Liquidation) and the Statutory Liquidator to Approve a Settlement Agreement Between Reliance Insurance Company (In Liquidation) and Consolidated Freightways Corporation and to Amend the Collateral Allocation Order of October 6, 2006 ("Petition"), said Petition is hereby GRANTED as follows:

1. The Settlement Agreement is hereby approved;
2. The Liquidator is authorized to implement the Settlement Agreement attached as Exhibit D to the Petition;
3. The Collateral Allocation Order issued on October 4, 2006 is supplemented to delete the following provision which is deemed inconsistent with the Settlement Agreement:
  1. The Liquidator will retain a third party administrator ("TPA") to adjust and settle known, but unresolved, non-covered AL/GL claims.
4. The Court further directs the Parties to meet and confer regarding the implementation of the Settlement Agreement and to reach any agreements necessary to further amend the Collateral Allocation Order solely as it relates to the settlement and resolution of

AL/GL claims. Any such agreements to amend the Collateral Allocation Order will be subject to the approval of the Court. The Court directs the Liquidator to report to the Court in 90 days on the status of such discussions if no agreements have been reached and submitted for approval. In all other respects the Collateral Allocation Order is affirmed.

BY THE COURT:

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Hon. James Gardner Colins

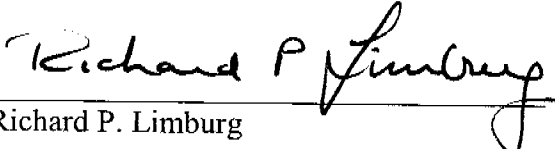
**CERTIFICATE OF SERVICE**

I hereby certify that I am this day serving the foregoing Praecipe upon the persons and in the manner indicated below which service satisfies the requirements of Pa. R.A.P. 121:

**VIA REGULAR MAIL**

James S. Gkonos, Esq.  
Saul Ewing LLP  
Centre Square West, 38<sup>th</sup> Fl.  
1500 Market Street  
Philadelphia, PA 19102

*Attorneys for the Trust and the Oversight Committee)  
of Consolidated Freightways Corporation and  
Certain Affiliates*

  
Richard P. Limburg

Dated: January 2, 2008