

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOEL S. ARIO, Acting  
Insurance Commissioner of the  
Commonwealth of Pennsylvania,

Plaintiff,

v.

RELIANCE INSURANCE COMPANY,

Defendant.

DOCKET NO. 269 M.D. 2001

2007 JUN -8 A 11:33

OFFICE OF THE CLERK OF THE COURT  
COMMONWEALTH OF PENNSYLVANIA

**STIPULATION RESOLVING OBJECTIONS TO THE LIQUIDATOR'S PETITION FOR APPROVAL OF REPORT AND RECOMMENDATIONS ON CLAIMS UNDISPUTED AND SETTLED AS OF JUNE 30, 2007**

JOEL S. ARIO, Acting Insurance Commissioner of the Commonwealth of Pennsylvania, on the one hand, and Warrantech Consumer Product Services, Inc., Warrantech Home Service Company, Warrantech Home Assurance Company, Help Desk, Inc., WCPS of Florida, Inc., Warrantech Automotive, Inc., Warrantech Automotive of Florida, Inc. (collectively, "Warrantech"), Butler Financial Solutions, LLC, a/k/a Butler Financial Solutions, Inc. ("Butler") (collectively "the Objectors"), on the other hand have reached the following stipulation intended to resolve Objectors' Objections to the Liquidator's Report and Recommendations on Claims Undisputed and Settled as of June 30, 2007:

1. In the Liquidator's Petition for Approval of Report and Recommendations on Claims Undisputed and Settled as of June 30, 2007, the Liquidator requested authorization to issue partial notices of determination ("NODs")

only for those individual claims exceeding \$100,000 in total paid amounts over any applicable deductible or self-insured retention (“Partial NOD Request”).

2. Objectors requested that the Liquidator be required to submit its Partial NOD Request in the form of a separate motion or application with a sufficient explanation of what would be categorized as an “individual claim” for which partial NODs will be issued and distinguishing between open and closed claims.

3. The parties jointly request that the Court, through its signature below, accept this stipulation as a resolution of the objections of the Objectors.

4. The Objectors withdraw their objections to the Partial NOD Request based upon the Liquidator's clarification of the Partial NOD Request as follows:

a. The Partial NOD Request only applies to claims that remain open and are being paid over time, such as open workers' compensation claims or open directors and officers claims.

b. In particular, the Objectors' claims for insurance coverage for individual warranty claims are not subject to the Partial NOD Request. If the Objectors claims under insurance policies relating to the warranty claims are finally adjudicated to be class (b) priority, NODs will be issued addressing each closed warranty claim, regardless of the amount at issue. For administrative purposes, some NODs may cover more than one individual closed warranty claim. The Liquidator will not delay determination of the Objectors' right to payment from the Reliance estate of any

individual paid warranty claim due to the existence of any open warranty claims submitted under the same POC.

ACCEPTED, AGREED TO, and ORDERED AS INDICATED BELOW:

Dated: January 4, 2008

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official capacity as Liquidator of Reliance  
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SO ORDERED:

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Colins, J.

**CERTIFICATE OF SERVICE**

I, Sheila E. Branyan, hereby certify that on or about this day, pursuant to the Court's Order of April 1, 2004, service of the foregoing Stipulation was provided to the attached Master Service List and Claim Objector List through the transmission of a Notice of Filing and through posting of a true and correct copy in PDF file format on the Reliance Documents website ([www.reliancedocuments.com](http://www.reliancedocuments.com)).

Dated: January 8, 2008

  
Sheila E. Branyan

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v.

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No. 269 M.D. 2001 (Commonwealth Court of Pennsylvania)

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BROOKLYN, NY 11219-3557

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PO BOX 3253  
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**CLAIM OBJECTOR LIST**

MORGAN LEWIS & BOCKIUS  
1701 MARKET ST  
PHILADELPHIA, PA 19103-2903

NATIONAL ENVIRONMENTAL SAFETY COMPANY, INC.  
1038 46TH RD  
LONG ISLAND CITY, NY 11101

PASINKOFF, ERIC MICHAEL ESQ.  
488 MADISON AVE STE 1100  
NEW YORK, NY 10022-5720

PILLSBURY WINTHROP. LLP  
PHILIP WARDEN, ESQ.  
50 FREMONT ST  
SAN FRANCISCO, CA 94105-2230

PODHURST, ORSECK, PA  
25 WEST FLAGLER STREET  
#800  
MIAMI, FL 33130

SAM, FREDDIE  
3606 YOSEMITE ST  
HOUSTON, TX 77021-4720

SMITH WILSON & DUNCAN  
P O BOX 15525  
AMARILLO, TEXAS 79105

STANFIELD, BRIAN  
10132 CLOVERDALE DR  
SAINT LOUIS, MO 63136-4214

THE FUJI BANK LIMITED  
JAMES RITTER  
350 SOUTH GRAND AVENUE  
SUITE 1500  
LOS ANGELES, CA 90071

THOMPSON, WALTER K  
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NORTON, MA 02766

THURSTON COUNTY  
RISK MANAGEMENT DEPT  
2000 LAKERIDGE DR SW  
OLYMPIA, WA 98502-6001

TOMPKINS, SHARON  
A/K/A SHARON RICHARDSON  
16220 BEECHWOOD DR  
CHARLESTOWN, IN 47111-9756

TRADICION SEGUROS, SA  
FITZ ROY 957 (C1414CA1)  
CIUDAD AUTONOMA  
BUENOS AIRES,

VARGAS, FRANCISCO  
C/O ATTORNEY D. MICHAEL CARUTHERS  
431 SOUTH PALM CANYON DRIVE  
SUITE 204  
PALM SPRINGS, CA 92264

WARRANTECH AUTOMOTIVE  
P O BOX 1179  
BEDFORD, TX 76095

WARRANTECH AUTOMOTIVE, INC  
JAMES F. MORGANTEEN, ESQ.  
2200 HIGHWAY 121  
SUITE 100  
BEDFORD, TX 76021-5983

WARRANTECH CONSUMER PRODUCTS SERVICES, INC.  
JAMES F. MORGANTEEN ESQUIRE  
2200 HIGHWAY 121, STE 100  
BEDFORD, TX 76021-5983

WARRANTECH HOME SERVICE COMPANY  
JAMES F. MORGANTEEN, ESQ.  
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**CLAIM OBJECTOR LIST**

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