

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 COMMONWEALTH COURT  
CLERK OF THE COMMONWEALTH COURT

**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

/s/ 

Timothy P. Law, Esquire (I.D. No. 76793)  
Ellen D. Bailey, Esquire (I.D. No. 92189)  
**ANDERSON KILL & OLICK, P.C.**  
1600 Market Street, 2500  
Philadelphia, PA 19103  
(267) 216-2700

David M. Schlecker, Esquire  
**ANDERSON KILL & OLICK, P.C.**  
1251 Avenue of the Americas  
New York, NY 10020  
(212) 278-1000

Attorneys for the Policyholders

Dated: January 4, 2008

/s/ 

PRESTON BUCKMAN (I.D. No. 57570)  
Special Funds Counsel  
Pennsylvania Insurance Department  
Capitol Associates Building  
Office of Chief Counsel  
901 North 7<sup>th</sup> Street  
Harrisburg, PA 17102  
(717) 787-6009  
**ANN B. LAUPHEIMER**  
**SHEILA E. BRANYAN**  
One Logan Square  
Philadelphia, PA 19103  
Telephone: (215) 569-5500  
Facsimile: (215) 569-5555

Attorneys for Plaintiff, Joel S. Ario,  
Acting Insurance Commissioner of the  
Commonwealth of Pennsylvania, in his  
official capacity as Liquidator of Reliance  
Insurance Company

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

## Master Service List

Joel S. Ario, Acting Insurance Commissioner of the Commonwealth of Pennsylvania

v.

Reliance Insurance Company

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

Jerome R. Richter  
Ann B. Laupheimer  
Blank Rome LLP  
One Logan Square  
Philadelphia, PA 19103  
(215) 569-5500  
(Attorneys for M. Diane Koken,  
Insurance Commissioner of the  
Commonwealth of Pennsylvania)

Amy L. Weber, Esquire  
Deputy Chief Counsel  
Preston M. Buckman, Esquire  
Special Funds Counsel  
Commonwealth of Pennsylvania  
Insurance Department  
Office of the Chief Counsel  
Capitol Associates Building  
901 North 7<sup>th</sup> Street  
Harrisburg, PA 17102  
(717) 787-6009  
(Attorneys for the Pennsylvania  
Insurance Department)

Marilyn K. Kincaid, Esquire  
Reliance Insurance Company  
(in Liquidation)  
Three Parkway  
Philadelphia, PA 19102  
(215) 864-4205  
(Attorney for Reliance Insurance  
Company (in Liquidation))

Brian P. Flaherty, Esq.  
Wolf, Block, Schorr & Solis-Cohen LLP  
1650 Arch Street  
22nd Floor  
Philadelphia, PA 19103  
Phone: (215) 977-2048  
Fax: (215) 405-2948  
(Attorneys for M. Diane Koken,  
Insurance Commissioner of the  
Commonwealth of Pennsylvania)

Hillary C. Steinberg  
James Michael Matour  
Hangley Aronchick Segal & Pudlin, P.C.  
One Logan Square  
Philadelphia, PA 19103

(215) 568-6200  
(Attorneys for Reliance Group  
Holdings, Inc.)

Jeffrey B. Rotwitt  
Obermayer Rebmann Maxwell & Hippel  
1 Penn Center, 19<sup>th</sup> Floor  
Philadelphia, PA 19103-1895  
(215) 665-3000  
(Attorneys for M. Diane Koken,  
Insurance Commissioner of the  
Commonwealth of Pennsylvania)

William Charles Bensley  
George Whittaker Howard  
Edward M. Nass  
Howard Brenner & Nass, P.C.  
1608 Walnut Street, Suite 1700  
Philadelphia, PA 19103  
(215) 546-8200  
(Attorneys for Francine and Ted Forman)

Brad S. Karp  
Paul, Weiss, Rifkind, Wharton & Garrison  
1285 Avenue of the Americas  
New York, NY 10019  
(212) 373-3000  
(Attorneys for Reliance Group  
Holdings, Inc.)

Robert H. Levin  
Adelman Lavine Gold & Levin, P. C.  
Four Penn Center, Suite 900  
Philadelphia, PA 19103-2808  
(215) 568-7515  
(Attorneys for Committee of Policyholders)

Richard D. Batchelder, Jr.  
Ropes & Gray  
One International Place  
Boston, MA 02110-2624  
(617) 951-7000  
(Attorneys for Miami Cruiseline  
Holdings LLC)

Frank F. McGinn  
Bartlett Hackett Feinberg, P.C.  
155 Federal Street  
9<sup>th</sup> Floor

Boston, MA 02110  
(617) 422-0200  
(Attorneys for Flatley Company)

Elizabeth F. Abrams  
Reed Smith Shaw & McClay LLP  
2500 One Liberty Place  
Philadelphia, PA 19103  
(215) 851-8855  
(Attorneys for Vitas Healthcare Corp.  
and Various State Guaranty Assocs.)

Thomas J. Madigan  
Pepper Hamilton LLP  
One Mellon Center  
500 Grant Street, 50<sup>th</sup> Floor  
Pittsburgh, PA 15219-2502  
(412) 454-5000  
(Attorneys for O'Brien-Kreitzberg  
& Associates, Inc.)

Douglas B. Provencher  
Provencher & Flatt, LLP  
823 Sonoma Avenue  
Santa Rosa, CA 95404  
(707) 284-2380  
(Attorneys for Great Western Collection  
Bureau)

Terence R. Savage  
Employment Development Department  
State of California  
800 Capitol Mall, Legal Office  
Sacramento, CA 95814  
(916) 654-8410  
(Attorneys for Employment Development  
Department, State of California)

R. Nicholas Gimbel  
McCarter & English, LLP  
Mellon Bank Center  
1735 Market Street  
Suite 700  
Philadelphia, PA 19103  
Phone: (215) 979-3800  
Fax: (215) 979-3899  
(Attorneys for Brand Scaffold Services, Inc.,  
Magellan Ins. Co. Ltd., and Sun Life Assurance  
Company of Canada)

John Norig Ellison  
Timothy Patrick Law  
Anderson, Kill & Olick P.C.  
1600 Market Street, Suite 2500  
Philadelphia, PA 19103  
(215) 568-4202  
-and-  
Marvin L. Wilenzik  
Elliott Reihner Siedzikowski & Egan, P.C.  
925 Harvest Drive  
P.O. Box 3010  
Blue Bell, PA 19422  
(215) 977-1050  
(Attorneys for Synagro Technologies, Inc.)

Jeremy J.O. Harwood, Esquire  
Blank Rome LLP  
23<sup>rd</sup> Floor  
405 Lexington Avenue  
New York, NY 10174  
(212-885-5149)  
-and-  
Joseph M. Donley, Esquire  
William E. Cox, Esquire  
Kittredge, Donley, Elson, Fullern & Embick  
400 Market Street, Suite 200  
Philadelphia, PA 19106  
(215-829-9900)  
(Attorneys for Steamship Mutual Underwriting  
Association (Bermuda) Ltd.)

Thomas V. White, Esquire  
Joseph P. Rusnak, Esquire  
Tune, Entrekin & White, P.C.  
AmSouth Center, Suite 1700  
315 Deaderick Street  
Nashville, TN 37238  
(615) 244-2770  
(Attorneys for Home Builders Association of  
Tennessee Self-Insured Trust)

Michele Smolin, Esquire  
McDonald, Hopkins, Burke & Haber  
600 Superior Avenue E  
Cleveland, OH 44114-2653  
(216) 348-5400  
(Attorneys for United Church of Christ Insurance  
Board)

Lisa Luborsky, Esquire  
Britt, Hankins & Moughan  
Two Penn Center Plaza, Suite 515  
1500 John F. Kennedy Blvd.  
Philadelphia, PA 19102-1888  
(215) 569-6918  
(Attorneys for the Pennsylvania Property and  
Casualty Insurance Guaranty Association)

Frederick P. Santarelli, Esquire  
Elliott Greenleaf & Siedzikowski, P.C.  
925 Harvest Drive  
P.O. Box 3010  
Blue Bell, PA 19422  
(215) 977-1050  
(Attorneys for Estate of Leo Frances Tenczynski)

Janice Marie Savinis, Esquire  
Savinis, D'Amico & Kane, LLC  
Suite 3626, Gulf Tower  
707 Grant St.  
Pittsburgh, PA 15219  
(Attorney for Harold W. Thomas)

Francine L. Semaya, Esquire  
Joseph James Bellew, Esquire  
Cozen O'Connor  
45 Broadway, 16<sup>th</sup> Floor  
New York, NY 10006  
(212-908-1270)  
(Attorneys for Allied Holdings and Client Assurance  
Pool)

Richard F. McMenamin, Esquire  
David L. Harbaugh, Esquire  
Morgan, Lewis & Bockius LLP  
1701 Market Street  
Philadelphia, PA 19103-2921  
(215-963-5596)  
(Attorneys for Fuji Bank Limited and The Tribune  
Company)

Eric P. Wilenzik, Esquire  
Elliott Reihner Siedzikowski & Egan, P.C.  
925 Harvest Drive  
Blue Bell, PA 19422  
(215-977-1000)  
(Attorneys for Brandywine Realty Trust)

Sarah H. Zinn, Esquire  
Hogan & Hartson, LLP  
555 13th Street, N.W.  
Washington, D.C. 20004-1109  
(202) 637-6459  
(Attorneys for National Structured Settlements Trade  
Association, General Electric Capital Assurance Co.,  
First Colony Life Ins. Co., Federal Home Life Ins.  
Co., and GE Life and Annuity Assurance Co.)

David W. Cranshaw, Esquire  
Morris, Manning & Martin, LLP  
1600 Atlanta Financial Center  
3343 Peachtree Road, N.E.  
Atlanta, GA 30326  
(404-233-7000)  
(Attorneys for ChoicePoint and its division  
ChoicePoint Commercial Specialist)

P. Kevin Brobson, Esquire  
Buchanan Ingersoll  
One South Market Square  
213 Market Street, 3<sup>rd</sup> Floor  
Harrisburg, PA 17101  
(717-237-4800)  
(Attorneys for Magellan Reinsurance Company, Ltd.  
and RBH Reinsurance Ltd.)

Bruce R. Hoffman, Esquire  
Law Office of Bruce R. Hoffman, LLC  
574 Sea Island Parkway  
Saint Helena Island, SC 29920-4205  
(843-838-5290)  
(Pro Se)

R. Jane Lynch, Esquire  
Cox, Castle & Nicholson LLP  
2049 Century Park East, Suite 2800  
Los Angeles, CA 90067  
(310-277-4222)  
(310-277-7889) fax  
(Attorneys for Lake at Las Vegas Joint Venture)

Kevin E. Wolff, Esquire  
Robert J. Re, Esquire  
McElroy, Deutsch & Mulvaney, LLP  
1300 Mount Kemble Avenue  
P.O. Box 2075  
Morristown, NJ 07962-2075  
(973-425-8717)  
(Attorneys for Celanese Americas Corporation,  
Elwood Insurance Limited, and Celwood Insurance  
Company (f/k/a Hoechst Celanese Insurance  
Company, Ltd.)



Michael B. Dubin, Esquire  
Semanoff, Ormsby, Greenberg & Torchia  
Suite 200 Jenkins Court  
610 Old York Road  
Jenkintown, PA 19046  
(215-887-0200)  
(215-887-5356) fax  
(Attorneys for Integrated Health Services, Inc.)

Deborah Fuchs Cohen, Esquire  
Eric Jonathan Rothschild, Esquire  
Pepper Hamilton LLP  
3000 Two Logan Square  
18<sup>th</sup> and Arch Streets  
Philadelphia, PA 19103  
(215) 981-4470  
(Attorney for M. Diane Koken,  
Insurance Commissioner of the  
Commonwealth of Pennsylvania)

Leonard P. Goldberger, Esquire  
Amy Elizabeth Vulpio, Esquire  
White and Williams LLP  
1800 One Liberty Place  
Philadelphia, PA 19103-7395  
(215) 864-6376  
(Attorneys for Insurance Company  
of North America)

Harold S. Horwich, Esquire  
Bingham McCutchen  
One State Street  
Hartford, CT 06103  
(860) 240-2700  
(Attorneys for St. Joseph's Medical Center)

Susan J. Guerrieri, Esquire  
Stephen C. Baker, Esquire  
John B. Dempsey, Esquire  
Drinker Biddle & Reath LLP  
One Logan Square  
18<sup>th</sup> and Cherry Streets  
Philadelphia, PA 19103-6996  
(215) 988-2700  
(Attorneys for Mawson & Mawson, Inc.)

Joseph F. Orso, III, Esquire  
Casale & Bonner, P.C.  
Suite 202  
33 West Third Street  
Williamsport, PA 17701  
(570) 326-7044  
(Attorneys for Richard Ruhl)

Arthur Makadon, Esquire  
Geoffrey A. Kahn, Esquire  
Ballard Spahr Andrews & Ingersoll, LLP

1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, PA 19103  
(215) 665-8500  
(Attorneys for Deloitte & Touche LLP)

Douglas Y. Christian, Esquire  
Ballard Spahr Andrews & Ingersoll  
1735 Market Street, 51<sup>st</sup> Floor  
Philadelphia, PA 19103-7599  
(215) 864-8404  
(Attorneys for American Longshore Mutual  
Association)

Lisa M. Salazar, Esquire  
McCarter & English LLP  
Mellon Bank Center, Suite 700  
1735 Market Street  
Philadelphia, PA 19103-7501  
(215) 979-3800  
(Attorneys for Robert M. Steinberg)

Robert E. Kelly, Jr., Esquire  
Anthony W. Parker, Esquire  
Kelly, Parker & Cohen LLP  
Commerce Towers  
10<sup>th</sup> Floor  
300 North Second Street  
Harrisburg, PA 17106-2003  
717-920-2220  
(Attorneys for Petitioner South Carolina School  
Boards Insurance Trust)

Joseph M. Hennelly, Jr., Esquire  
Hennelly & Steadman, PLC  
Goldworthy House  
322 West Roosevelt  
Phoenix, AZ 85003  
(602) 230-7000  
(Attorneys for Mark D. Tharp as Arizona's Special  
Ancillary Receiver of Reliance)

Rowe W. Snider, Esquire  
Steven T. Whitmer, Esquire  
Julie L. Young, Esquire  
Lord, Bissell & Brook  
111 S. Wacker Drive  
Chicago, Illinois 60606  
(312) 443-0700  
(Attorneys for NCIGF)

Paul G. Witko, Deputy Attorney General  
State of New Jersey  
Office of the Attorney General  
Department of Law and Public Safety  
Division of Law  
Station Plaza #4, 2nd Floor  
22 South Clinton Ave.

P.O. Box 117  
Trenton, NJ 08625-0117  
(609) 777-3512  
(Attorney for New Jersey Workers Compensation Bureau)

Malcolm C. Lindquist, Esquire  
Lane Powell Spears Lubersky  
1420 Fifth Ave.  
Suite 4100  
Seattle, WA 98101  
(206) 223-7101  
(Attorney for Labor Ready, Inc.)

James W. Kutz, Esquire  
Kimberly M. Colonna, Esquire  
McNees Wallace & Nurick, LLC  
100 Pine St, P.O. Box 1166  
Harrisburg, PA 17108-1166  
(717) 232-8000  
(Attorneys for Earth Tech, Inc.)

Guy A. Cellucci, Esquire  
White and Williams LLP  
1800 One Liberty Place  
Philadelphia, PA 19103-7395  
(215) 864-7000  
(Attorneys for Hartford Fire Insurance Co., Hartford Specialty Co., and the Hartford Financial Services Group, Inc.)

Brian T. Guthrie, Esquire  
Daniel W. Krane, Esquire  
Drinker Biddle & Reath LLP  
One Logan Square  
18th and Cherry Streets  
Philadelphia, PA 19103-6996  
(215) 988-2700  
(Attorneys for Lexington Insurance Co.)

Edward G. Biester, Esquire  
Duane Morris LLP  
3030 South 17<sup>th</sup> Street  
Philadelphia, PA 19103  
(215) 979-1000  
(Attorneys for Florida Workers' Compensation Insurance Guaranty Association Incorp.)

Lawrence Licitra, Esquire  
Julie Pollack, Esquire  
Swiss Reinsurance America Corporation  
175 King Street  
Armonk, NY 10504  
(914) 828-8000  
(Attorneys for Swiss Reinsurance America Corp.)

Daryn E. Rush, Esquire  
Gibbons PC  
1700 Two Logan Square  
18<sup>th</sup> & Arch Streets  
Philadelphia, PA 19103-2769  
215-446-6220  
(Attorneys for Travelers Casualty and Surety Co.)

John C. Connell, Esq.  
Jerrold S. Kulback, Esq.  
Archer & Greiner, PC  
One Centennial Square  
Haddonfield, NJ 08033  
(856) 795-2121  
(Attorneys for New Mexico Mutual Casualty Company and Southwest Casualty Company)

Kimberly A. LaMaina  
Skadden, Arps, Slate, Meagher & Flom, LLP  
One Rodney Square  
Wilmington, DE 19801  
(302) 651-3184  
(Attorneys for Zenith Insurance Company)

Jeffrey B. Cohen  
John Menke  
Joseph Krettek  
Pension Benefit Guaranty Corporation  
Office of the General Counsel  
1200 K Street, N.W.  
Washington, D.C. 20005  
(202) 326-4020  
(Attorneys for Pension Benefit Guaranty Corporation)

Timothy P. Law, Esquire  
Anderson Kill & Olick, P.C.  
1600 Market Street, Suite 2500  
Philadelphia, PA 19103  
(215) 568-4762  
(Attorney for Harlem River Park Houses, Inc.)

Francis Patrick Newell  
Harkins Cunningham LLP  
2800 One Commerce Square  
2005 Market Street  
Philadelphia, PA 19103  
(215) 851-6700  
(Attorney for Celanese and the Celanese Reinsurers)

Jeff Farkas  
Laura Torrado  
Bear Stearns Investment Products Inc.  
383 Madison Avenue  
New York, NY 10179  
(212) 272-3330  
(Non-Attorney Representative of Bear Stearns)

Michael Winschuh  
Dennis Comstock  
VonWin Capital, L.P.  
60 Madison Avenue, Suite 201  
New York, NY 10011  
(212) 889-1601  
(Attorneys for VonWin Capital)

Jed A. Hart  
Angelo, Gordon & Co.  
245 Park Avenue, 26<sup>th</sup> Floor  
New York, NY 10167  
(212) 692-2003

James W. Schacht  
Navigant Consulting, Inc.  
175 West Jackson Blvd., Suite 500  
Chicago, IL 60604  
(312) 583-5700

Michael J. Cawley  
Wilson, Elser, Moskowitz, Eldermen & Dicker LLP  
The Curtis Center  
Suite 1130 East  
Independence Square West  
Philadelphia, PA 19106  
(215) 627-6900  
(Attorney for British Aviation Insurance Group Ltd.)

Laura L. McGrogry, Chief Counsel  
Legal Division  
Industrial Commission of Arizona  
P.O. Box 19070  
Phoenix, AZ 85005-9070  
(Counsel for the Arizona Workers Compensation  
Guaranty Association)

Arthur F. McNulty  
Chief Counsel  
Pennsylvania Insurance Department  
Office of Chief Counsel  
1341 Strawberry Square  
Harrisburg, PA 17120  
(717) 783-1975  
(Counsel for M. Diane Koken,  
Insurance Commissioner of the  
Commonwealth of Pennsylvania)

Jonathan Neiss  
Contrarian Capital Management, LLC  
411 West Putnam Avenue, Suite 225  
Greenwich, CT 06830  
(203) 862-8255

F. Warren Jacoby  
Cozen O'Connor

1900 Market Street  
Philadelphia, PA 19103  
(215) 665-2154  
(Attorney for Hudson News Co., Hudson News  
Distributors. LLC, Magazine Distributors, Inc., and  
MET News Liquidating Trust)

David L. Neale  
Tania M. Moyron  
Levene, Neale, Bender, Rankin & Brill LLP  
10250 Constellation Blvd.  
Suite 1700  
Los Angeles, California 90067  
(310) 229-1234

Douglas H. Deems  
The Claro Group, LLC  
777 S. Figueroa Street, Suite 4050  
Los Angeles, CA 90017  
(213) 784-0190

**CLAIM OBJECTOR LIST**

ACUMEN RE MANAGEMENT CORP.  
302 FELLOWSHIP RD STE 130  
MOUNT LAUREL, NJ 08054

AGUILAR ERNESTINA  
1111 18TH STREET  
AMARILLO, TX 79105

ANDERSON KILL & OLICK, P.C.  
TIM LAW, ESQUIRE  
1600 MARKET ST STE 2500  
PHILADELPHIA, PA 19103-7225

APPLE COMPUTER, INC.  
1 INFINITE LOOP  
CUPERTINO, CA 95014-2083

BALTAXE, GEORGE ESQ  
15821 VENTURA BLVD, STE. 245  
ENCINO, CA 91436

BILZIN, SUMBERG, BAENA, PRICE & AXELROD  
MITCHELL WIDOM  
200 S. BISCAYNE BLVD  
SUITE 250  
MIAMI, FL 33131-5340

BUTLER FINANCIAL SOLUTIONS, LLC  
JAMES F. MORGANTEEN, ESQ  
2200 HIGHWAY 121, SUITE 100  
BEDFORD, TX 76021-5983

CAMPBELL, MICHAEL K  
7711 DESMOND STREET  
N. CHARLESTON, SC 29418

CARUTHERS, D. MICHAEL ESQ.  
431 SOUTH PALM CANYON DRIVE  
STE 204  
PALM SPRINGS, CA 92264

COHEN, EYAL  
331 BERKELEY RUN  
ATLANTA, GA 30342

COZEN O'CONNOR  
F. WARREN JACOBY, ESQ.  
1900 MARKET ST  
PHILADELPHIA, PA 19103-3527

CRAWFORD, KENNETH T  
3086 CARRIAGE MANOR CIR  
TALLAHASSEE, FL 32304-1100

DJM CONTRACTING CORP  
42 CHICAGO PL  
HUNTINGTON STATION, NY 11746

ECKERT SEAMANS CHERIN & MELLOTT, LLC  
HEIDI B HAMMAN SHAKELY, ESQ.  
213 MARKET ST  
8TH FLOOR  
HARRISBURG, PA 17101-2141

ED KRUSE  
ATTORNEY AT LAW  
2016 SOUTH BIG BEND BLVD  
SUITE 405  
ST. LOUIS, MO 63117

ELLER MEDIA CORPORATION AND  
2201 E. CAMELBACK RD  
SUITE 500  
PHOENIX, AZ 85016

EUBANKS, SILAS R  
259 E 7TH AVE  
TALLAHASSEE, FL 32303-5518

FARM BUREAU MUTUAL INSURANCE COMPANY OF  
7373 W SAGINAW HIGHWAY  
PO BOX 30400  
LANSING, MI 48909-7900

**CLAIM OBJECTOR LIST**

FIRST CLASS COVERAGE, INC.  
150 BROADWAY STE 2206  
C/O LAW OFFICES OF MARK D. LEFKOWITZ  
NEW YORK, NY 10038-4493

FORTENBERRY, JEFFERY B  
1200 LOUISVILLE STREET  
LOT 139  
STARKVILLE, MS 39759

GALLAGHER BASSETT SERVICES, INC.  
C/O HEIDI HAMMAN SHAKELY, ESQ  
ECKERT, SEAMANS CHE  
213 MARKET ST  
8TH FLOOR  
HARRISBURG, PA 17101-2141

GARAN, LUCOW, MILLER AND SEWARD, P.C.  
PAUL L. DIESEL, ESQUIRE  
8332 OFFICE PARK DR  
GRAND BLANC, MI 48439-2076

GARDERE WYNNE SEWELL LLP  
GEOFFREY H. BRACKEN, ESQ  
1000 LOUISIANA ST STE 3400  
HOUSTON, TX 77002-5011

GENESIS CONSOLIDATED SERVICES, INC.  
76 BLANCHARD RD  
BURLINGTON, MA 01803

GORAYEB & ASSOCIATES, P.C.  
100 WILLIAM ST  
NEW YORK, NY 10038-4512

HAIRRELL, MYRON  
516 LAKE AVE APT 4  
WOODSTOCK, IL 60098-4283

HELLER, EHRMAN, WHITE AND MCAULIFFE, LLP  
MICHAEL R. WRENN  
701 5TH AVE STE 6100  
SEATTLE, WA 98104-7043

HUDSON NEWS COMPANY  
1 MEADOWLANDS PLZ  
EAST RUTHERFORD, NJ 07073-2150

JACOBS AND JACOBS, ESQS.  
THE MADISON BUILDING  
31 LAKE STREET  
PO BOX 159  
STAMFORD, NY 12167

JONES, RICKY  
364 RIVER STREET  
HOBART, NY 13788

LAIN, DAN TRUSTEE  
LAIN FAULKNER & CO.  
400 N SAINT PAUL ST  
DALLAS, TX 75201-3114

LING, GARY A  
3660 W. MONTAGUE AVENUE  
N. CHARLESTON, SC 29418

LOPEZ, MARIO  
C/O GEORGE BALTAJE, ESQ  
AND MARTA LOPEZ  
1521 VENTURA BLVE., STE. 245  
ENCINO, CA 91436

LOSAVIO LAW FIRM  
KENT S. DEJEAN  
8414 BLUEBONNET BLVD.  
SUITE 110  
BATON ROUGE, LA 70810

MADAR, ROTEM  
TSCHAL MADAR, FATHER  
333 51ST ST  
BROOKLYN, NY 11219-3557

MILLER, MARY  
PO BOX 3253  
RANCHO PALOS VERDE, CA 90274

**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  
20 SHELLY ROAD  
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.  
2200 HIGHWAY 121, STE. 100  
BEDFORD, TX 76021-5983

**CLAIM OBJECTOR LIST**

WARRENTECH HOME ASSURANCE CO.  
2200 HIGHWAY 121  
SUITE 100  
BEDFORD, TEXAS 76021

WILSON, CLAUDE J  
29 FORTUNE DR  
LANE, SC 29564