

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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

v.

Reliance Insurance Company,
Defendant

: No. 269 M.D. 2001
:

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CLERK OF COURT
COMMONWEALTH COURT
HARRISBURG, PA

RE: *Objection of ERM Southeast, Inc. to
Liquidator's NOD in POC Nos. 2124021 and 99801452*

ORDER

AND NOW, this 22nd day of April 2008, pursuant to this Court's Order of September 9, 2002, the matter of *Objection of ERM Southeast, Inc., to Liquidator's NOD in POC Nos. 2124021 and 99801452* is assigned as follows:

1. Mark K. Emery, Esq., is appointed to act as referee in the above-captioned matter. The referee shall hear objections to the notices of determination issued by the Liquidator, submit findings of fact, where appropriate and necessary, and issue recommended decisions regarding said objections.

2. The Liquidator shall contact the referee to request the scheduling of a conference and/or administrative hearing, and the referee shall promptly notify the parties of the place, time and date on which the hearing or conference will be held. Referee Emery can be contacted at:

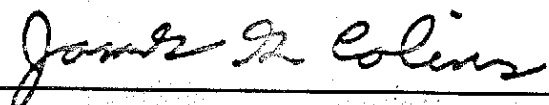
410 North Second Street
Harrisburg, PA 17102

The Liquidator and objectors 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 Liquidator and objectors 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;

3. The compensation for the referee hereby appointed is set by the Court at the rate of \$185 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 he should not make such payment;

4. The referee may use the Court's facilities in Harrisburg for any conferences or hearings that are necessary, and the Court shall issue such subpoenas as the referee shall deem necessary; and

5. The Liquidator shall forthwith serve a copy of this Order on the objectors herein and their counsel and notify the Court that service has been completed.



James Gardner Collins, Senior Judge