

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOEL S. ARIO, acting Insurance Commissioner :
of the Commonwealth of Pennsylvania, :
Plaintiff : NO. 269 M.D. 2001
vs. :
RELIANCE INSURANCE COMPANY, :
Defendant :

CLAIM OF ERM SOUTHEAST, INC., CLAIM NOS. 2124021 and 99801452

RECOMMENDATION BY REFEREE

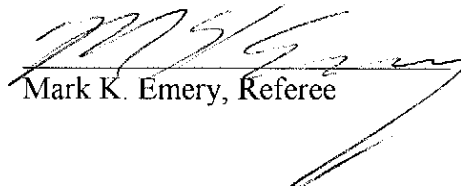
By Order of Court dated April 22, 2008, the undersigned was appointed to act as Referee in the above-captioned matter. Prior to the issuance of such Order of appointment, the parties were able to reach a resolution to Claimant's objections.

The resolution reached by the parties is adopted and accepted by the Referee. Pursuant to the agreement of the parties, Claimant shall withdraw its objections and a Praecipe to such effect shall be filed forthwith. Thereafter the Liquidator shall reevaluate Claimant's claim, and issue an Amended Notice of Determination.

Nothing herein shall prejudice Claimant's right to file objections to the Amended Notice of Determination.

Respectfully submitted,

Date: April 29, 2008


Mark K. Emery, Referee