

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOEL S. ARIO,
Insurance Commissioner of the
Commonwealth of Pennsylvania,
in his official capacity as Statutory
Liquidator of Reliance Insurance Company,

Plaintiff,

v.

RELiance INSURANCE COMPANY,

Defendant.

No. 269 M.D. 2001

RE: Revising Procedures for Filing and Service

CASE MANAGEMENT ORDER

AND NOW, this 12th day of December, 2008, previous Orders of this Court are amended to the extent inconsistent with this Order and this Order shall govern filings and service in this liquidation proceeding:

1. All filings in the Reliance Insurance Company liquidation proceeding shall be made with the Office of the Chief Clerk located in Suite 900, The Widener Building, 1349 Chestnut Street, Philadelphia, PA 19107 or in the Irvis Office Building, Room 624, Harrisburg, PA 17120.

2. Each filing made with the Office of the Chief Clerk shall consist of one original and two (2) copies and, in addition, shall be submitted on a labeled 3 1/2 inch diskette or CD in Microsoft Word format. Courtesy copies of filings should not be provided to the judge's chambers unless specifically requested.

3. The Liquidator shall continue to compile and maintain a Master Service List including (a) the name, address, telephone number, facsimile (fax) number, if any, and electronic mail (e-mail) address, of any of the lead counsel for each litigant who enters an appearance in this matter, and (b) the name, address, telephone number, facsimile (fax) number, if any, and electronic mail (e-mail) address of each pro se litigant who enters an appearance in this matter. Changes in contact information, including transfer of responsibilities to another attorney in the firm, and requests to be removed from the Master Service List may be accomplished by submitting a written request via e-mail to Liquidator@relianceinsurance.com; or by regular mail to Liquidation Department, Reliance Insurance Company (in liquidation), Three Parkway, 5th floor, Philadelphia, PA 19102; or via fax to 215-864-4105.

4. The Liquidator shall post and maintain the Master Service List on www.reliancedocuments.com ("Reliance Website"), and shall also make the Master Service List available upon request at the cost of \$1.00 per page.

5. This Order has no application to submissions made with respect to the disposition of Proofs of Claim, which are governed by this Court's separate order of December 12, 2008. Submissions related to individual Proofs of Claim or Notices of Determination shall not be posted on the Reliance Website or served on the Master Service List, unless otherwise ordered by the Court.

6. In any matter initiated by intervention in this liquidation proceeding, the moving party (Intervenor) shall serve all persons on the Master Service List and the Liquidator with the petition to intervene, application for relief, complaint, or other request for affirmative relief sought from Reliance Insurance Company or from the

Liquidator: Each such matter shall be separately identified by a "Re: _____" line below the case caption. Intervenor's service on the Master Service List need not include exhibits attached to the petition; however, Intervenor's service on the Liquidator shall include a copy of all exhibits to the petition.

7. Unless otherwise ordered by the Court or agreed by the parties, a response by any interested party (Responder) to any filing by the Liquidator must be filed with this Court within 30 days of the Liquidator's filing or within 30 days of service if the Responder is on the Master Service List. Each such response shall be identified by the "Re: _____" line shown in the Liquidator's filing. Responder shall serve all persons on the Master Service List and the Liquidator. Responder need not include exhibits attached to the response for the Master Service List; however, Responder's service on the Liquidator shall include a copy of all exhibits to the response.

8. The Liquidator shall file a response to an Intervenor's petition or request for affirmative relief, or to a Responder's response or objection, regardless of how the pleadings are captioned, within thirty (30) days of receipt, unless otherwise agreed to by the parties or ordered by the Court. The Liquidator shall serve his response upon the Responder or Intervenor and all persons on the Master Service List in accordance with paragraph 10 of this Order.

9. After service of the initial intervention or response documents as set forth in paragraphs 6 and 7 above, service of filings by an Intervenor or Responder need only be made upon the Liquidator. The Liquidator will list all filings by an Intervenor or Responder on the Reliance Website; however copies will not be provided on the Reliance Website. Any person on the Master Service List desiring a copy of any filing made by an

Intervenor or Responder can obtain a copy of the filing by requesting it from the Intervenor, Responder or Liquidator.

10. All filings made by the Liquidator in this liquidation proceeding shall be served upon the Master Service List in the following manner:

- (a) As soon as practicable, the Liquidator shall
 - (i) Post a copy of the Liquidator's filing in Adobe PDF format at the Reliance Website, and
 - (ii) Transmit by fax or e-mail a Notice of Filing in the form attached as Exhibit A, upon each person on the Master Service List.
- (b) The Notice of Filing shall include the following:
 - (i) The title or description of the filing made by the Liquidator with the Court;
 - (ii) The date of the filing;
 - (iii) A statement that the filing is available for viewing, downloading, or printing at the Reliance Website;
 - (iv) Directions on how interested persons may view, download, or print a copy of the filing from the Reliance Website;
 - (v) The Reliance telephone and fax numbers and the Reliance e-mail address for those unable to view, download or print the from the Reliance Website.
- (c) Service is deemed complete upon transmission of the Notice of Filing by e-mail or when the fax is confirmed as complete.
- (d) If the Notice of Filing is transmitted by fax, the Liquidator shall also comply with the requirements of Pa. R.C.P. No. 440 (d)(2), relating to a fax cover sheet.
- (e) In lieu of service by electronic means, any interested person on the Master Service List may request, by writing sent to the Liquidator that service of a filing be made upon such person as provided in Pa. R.C.P. No. 440.

(f) For those on the Master Service List who have not provided the Liquidator with a fax number or a valid e-mail address, the Liquidator shall complete service in accordance with Pa. R.C.P. No. 440.

(g) When filing an Affidavit of Service, the Liquidator shall certify how the service was accomplished whether by hand-delivery, first class mail, fax or e-mail and, if by fax or e-mail, that an electronic copy of the filing in Adobe PDF format is available on the Reliance Website.

11. Notwithstanding the foregoing, the Liquidator may, in his discretion, make service of filings in this liquidation proceeding in accordance with the provisions of Pa. R.C.P. No. 440.

12. All Orders issued by this Court shall be posted on the Reliance Website and may be served by the Liquidator as outlined in paragraph 10 unless otherwise ordered by the Court. Affidavits of Service need not be posted on the Reliance Website.

13. All interested persons on the Master Service List are encouraged to provide the Liquidator with a fax number or e-mail address through which service may be made.

14. A copy of this Order shall be posted on the Reliance Website and shall be served on all persons on the Master Service List.

Bonnie B. Leadbetter

BONNIE BRIGANCE LEADBETTER
President Judge

Certified from the Record

DEC 12 2008

and Order Exit