

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 (In Liquidation),

Plaintiff,

v.

RELiance INSURANCE COMPANY,

Defendant.

No. 269 M.D. 2001

2009 FEB 25 P 2:47
COMMONWEALTH COURT
OF PENNSYLVANIA

PRAECIPE TO FILE ORDER

Reliance Insurance Company (In Liquidation) ("Reliance") hereby files the Order of Judge Anita B. Brody of the United States District Court for the Eastern District of Pennsylvania, dated February 16, 2009 ("Order"), under 269 M.D. 2001 and 553 M.D. 2008. This Praecipe is being filed under both docket numbers because the original Notice of Removal referred to docket No. 269 M.D. 2001, instead of docket No. 553 M.D. 2008. This Order clarifies that the Notice of Removal of Defendants Underwriting Members of Syndicates 33, 506 and 205 removed only the Complaint docketed by the Commonwealth Court of Pennsylvania at

553 M.D. 2008 “and did not remove the Reliance Liquidation Proceeding from the Commonwealth Court of Pennsylvania docketed at 269 M.D. 2001,” and remands this matter to the Commonwealth Court of Pennsylvania at docket No. 553 M.D. 2008.

Respectfully submitted,



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Joann Hyle (50927)

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(215) 981-4000

Attorney for Plaintiff,
Joel S. Ario, Insurance Commissioner of the
Commonwealth of Pennsylvania, in his
Official Capacity as Statutory Liquidator of
Reliance Insurance Company (In Liquidation)

Dated: February 25, 2009

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

JOEL S. ARIO,
Insurance Commissioner of the
Commonwealth of Pennsylvania, in his
Official Capacity as Statutory Liquidator of
Reliance Insurance Company (In Liquidation),

Plaintiff,

v.

RELJANCE INSURANCE COMPANY

Defendant.

*In Re: Underwriting Members of Syndicates
33, 205 and 506*

CIVIL ACTION

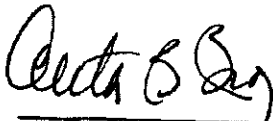
NO.: 2:08-CV-05900

ORDER

AND NOW, on this 16th day of February, 2009, it is hereby ORDERED that, pursuant to the Stipulation executed by counsel for Plaintiff Joel S. Ario, Insurance Commissioner of the Commonwealth of Pennsylvania, in his official capacity as Statutory Liquidator of Reliance Insurance Company (In Liquidation), and Defendants Underwriting Members of Syndicates 33 and 205 ("Defendants"): (1) Defendants' Notice of Removal removed only the Complaint filed against Underwriting Members of Syndicates 33, 205 and 506 docketed by the Commonwealth Court of Pennsylvania at 553 M.D. 2008 and did not remove the Reliance Liquidation Proceeding from the Commonwealth Court of Pennsylvania docketed at 269 M.D. 2001; (2) this matter is to be remanded to the Commonwealth Court of Pennsylvania

at docket No. 553 M.D. 2008; (3) each party shall bear its own costs and attorney's fees incurred in connection with all proceedings in this Court including, but not limited to, Defendants' Notice of Removal and Plaintiff's Motion for Remand; and (4) nothing herein affects any of the claims and defenses available to the parties in connection with the underlying action, all of which claims and defenses are preserved, and the Court makes no rulings on the merits of any of the issues raised on the motion for remand.

BY THE COURT:



ANITA B. BRADY, J.

Copies via ECF on — TO: Copies via US Mail on — TO:

CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2009 I served a true and correct copy of the foregoing Praecipe to File Order upon the following:

Via Email and First Class Mail

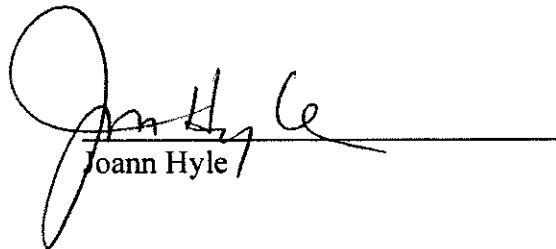
Jonathan L. Swichar, Esquire
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103-4196

Via First Class Mail

Underwriting Member of Syndicate 506
c/o Riverstone Syndicate Management Ltd.
2nd Floor – Mint House
77 Mansell Street
London, E1 8AF
United Kingdom

Via Notice of Filing on RelianceDocuments.com

Reliance Liquidation Master Service List


Joann Hyle