

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

M. Diane Koken,
Insurance Commissioner of the
Commonwealth of Pennsylvania,
Plaintiff

v.

No. 269 M.D. 2001

Reliance Insurance Company,
Defendant

In the matter of Basketball Properties, Ltd. Proof of Claim No. 2082141

ORDER

AND NOW, this 12th day of March, 2009, upon consideration of the referee's recommendation and in light of the consent of Arquitectonica International, Inc. (ARQ) (a Florida company), as well as the Objector, Basketball Properties, Ltd., and the Liquidator, IT IS HEREBY ORDERED that:

1. ARQ, the insured under Policy No. NTF 2511594 issued by Reliance Insurance Company of Illinois, shall enter a limited appearance in the adjudication of the Objections to the Liquidator's Notice of Determination on the claim filed by Basketball Properties, Ltd. arising from architect services provided by ARQ in association with the construction of a sports arena in Miami, Florida;

2. ARQ shall appear in the matter of Basketball Properties, Ltd., and be bound by this Court's decision, as to the issue of whether the Liquidator has waived a *void ab initio* defense to the Policy or is collaterally estopped from asserting that the Policy is *void ab initio*;

3. ARQ does not appear in the matter of Basketball Properties, Ltd. for any other purpose.

Bonnie B. Leadbetter
BONNIE BRIGANCE LEADBETTER
President Judge

Certified from the Record

MAR 12 2009

and Order Exit

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