

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Rec'd By Letter
NOV 23 2009

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

v.

No. 269 M.D. 2001

Reliance Insurance Company,
Defendant

ORDER

AND NOW, this 20th day of November, 2009, **IT IS HEREBY ORDERED:**

1. That, pursuant to this Court's December 12, 2008 revised Case Management Order, Daniel Stern, Esq. is appointed referee and assigned the following objection:

Objector: Medical Malpractice Pool of New York State
Claim Number: 1959474

The referee shall hear the objection to the notice of determination issued by the Liquidator and the Liquidator's response, submit findings of fact where appropriate and necessary, and issue a recommended decision regarding this matter.

2. The parties 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 Stern can be contacted at:

25 North Front Street
Harrisburg, PA 17101
(717) 234-4531

The parties shall be prepared to submit copies of their initial pleadings and all motions and other filings, if any, to the referee. The parties 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;

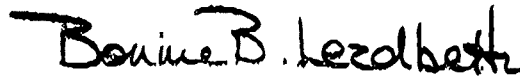
3. The compensation for the referee hereby appointed is set by the Court at the rate of \$185 per hour, and shall be paid by the Liquidator from the Estate of Reliance Insurance Company. The referee hereby appointed shall submit to the Court an invoice for services after he has submitted a recommended 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;

5. The referee may use the Court's facilities at The Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, PA 17106 for any conferences or hearings that are necessary, and the Court shall issue such subpoenas as the referee shall deem necessary; and

6. Upon completion of a Report and Recommendation, the referee shall submit a copy thereof directly to the assigning judge, by regular mail to: 610 Sentry Park East, Suite 210, Blue Bell, PA 19422. The Report and Recommendation shall not be filed with the court. The referee shall serve additional copies only on the Objector and the Liquidator and provide notice to

each of them that, in accordance with this Court's Order of December 12, 2008, any exceptions must be submitted directly to the assigning judge (not filed with the court) within 30 days of receipt of the Report and Recommendation.

7. The Liquidator shall forthwith serve a copy of this Order on the objector listed herein and their counsel and notify the Court that service has been effectuated.



BONNIE BRIGANCE LEADBETTER,
President Judge

Certified from the Record
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and Order Exit