

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Rec'd By Legal

FEB 22 2010

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

v. : No. 269 M.D. 2001

Reliance Insurance Company, :
Defendant :

In RE: Liquidator's Petition for Second Interim Distribution

ORDER

AND NOW, this 19th day of February, 2010, upon consideration of the Liquidator's Petition for Second Interim Distribution, to which an objection has been asserted by the Massachusetts Insurers Insolvency Fund (Objector), and upon consideration of the joint averment of the Liquidator and the Objector that a distribution to Eligible Claimants pursuant to the Petition for Second Interim Distribution can be made without imposing a substantial risk, in the event that the Massachusetts Insurers Insolvency Fund should prevail on its objection, of any lesser percentage distribution than that established under the Second Interim Distribution for Eligible Claimants, the Liquidator's Petition is hereby **GRANTED IN PART** and **DENIED IN PART**.

The Petition is **GRANTED** insofar as distribution may be made to the Eligible Claimants as set forth in the Petition and insofar as the

Ineligible Claimants listed on Exhibit A, other than Objector, may not receive distribution from the Reliance Estate.

The Petition is **DENIED** insofar as it seeks to bar any future distribution to Objector as an Ineligible Claimant and the Court's present approval of distribution shall not prejudice Objector's right to pursue its objection.

Further, Counsel for the Liquidator is directed to serve a copy of this Order upon those listed on the Master Service List and file with the Court an affidavit that service has been effectuated.

Bonnie B. Leadbetter

BONNIE BRIGANCE LEADBETTER,
President Judge

Certified from the Record

FEB 22 2010

and Order Exit