

FILE COPY

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

M. DIANE KOKEN
Insurance Commissioner of the
Commonwealth of Pennsylvania,

Plaintiff,

v.

RELIANCE INSURANCE COMPANY,

Defendant.

DOCKET NO. 269 MD 2001

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COMMONWEALTH COURT
OF PENNSYLVANIA

IN RE: Petition to Intervene and for Other
Relief of The Fuji Bank Limited

ORDER

AND NOW, this day of , 2002, it is hereby ORDERED that
the Praecipe for Continuance is GRANTED and the Liquidator is directed to file a response
to the Petition to Intervene and for Other Relief of The Fuji Bank Limited on or before
February 12, 2002.

BY THE COURT:

By: _____

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

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

Plaintiff,

v.

Reliance Insurance Company,

Defendant.

No. 269 M.D. 2001

PRAECIPE FOR CONTINUANCE

Plaintiff, M. Diane Koken, Insurance Commissioner for the Commonwealth of Pennsylvania, as Liquidator for Reliance Insurance Company ("Liquidator"), by her undersigned counsel, responds to the Petition to Intervene and for Other Relief of The Fuji Bank Limited ("Fuji") as follows:

1. Pursuant to Rule 121 and 123 of the Pennsylvania Rules of Appellate Procedure, the Liquidator's Response to Fuji's Petition to Intervene and for Other Relief is due to be filed with this Court on Tuesday, January 29, 2002.
2. Counsel for Fuji and the Liquidator have agreed to an extension of time, until Tuesday, February 12, 2002, for the Liquidator to respond to Fuji's Petition.
3. Fuji's Petition involves an extraordinarily complex transaction concerning the funding of print and advertising expenses for a motion picture film. The resolution of the Petition may have far reaching effects on Reliance's Estate. The extra time requested will afford the Liquidator the time needed to understand and appropriately respond to Fuji's

Petition. Moreover, the parties are attempting to reach an amicable resolution of the dispute, and the extension will permit the parties to explore that opportunity fully.

WHEREFORE, the Liquidator requests that this Court grant an extension of time, until Tuesday, February 12, 2002, for the Liquidator to respond to Fuji's Petition to Intervene and for Other Relief.

Respectfully submitted,

BLANK ROME COMISKY & McCAULEY LLP

By:



RICHARD P. McELROY
JAMES B. DILSHEIMER
ALPHONSO DAVID
One Logan Square
Philadelphia, PA 19103-6998

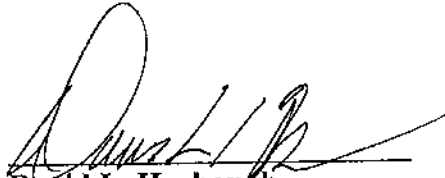
Counsel for M. Diane Koken,
Insurance Commissioner of the
Commonwealth of Pennsylvania, as
Liquidator for Reliance Insurance Company

OF COUNSEL:
David F. Simon, Esquire
Chief Counsel
The Pennsylvania Insurance Department
Office of Chief Counsel
1341 Strawberry Square
Harrisburg, PA 17104

January 28, 2002

VERIFICATION

I, David L. Harbaugh, counsel for The Fuji Bank Limited ("Fuji"), hereby verify that the facts set forth in Paragraphs 1 and 2 of the foregoing Praeipce for Continuance are true and correct to the best of my knowledge, information and belief. I further verify that counsel for Fuji and counsel for the Liquidator are attempting to reach an amicable resolution of the dispute, and the extension provided by the Praeipce for Continuance will permit the parties the opportunity to explore that subject. I understand that this Verification is made subject to the penalties of 18 P.S. § 4904 relating to unsworn falsification to authorities.


David L. Harbaugh
Counsel for The Fuji Bank Limited

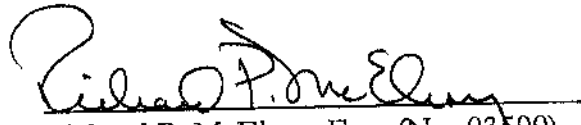
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103

Dated: January 28, 2002

VERIFICATION

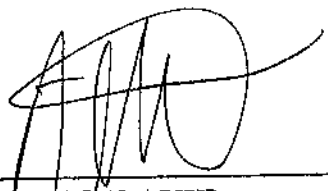
I, Richard P. McElroy, Esquire, Attorney for the Liquidator, hereby verify that the facts set forth in the foregoing Praeceptum for Continuance, and, in particular, in Paragraph 3 thereof, are true and correct to the best of my knowledge, information and belief. I understand that this Verification is made subject to the penalties of 18 P.S. § 4904 relating to unsworn falsification to authorities.

Date: January 28, 2002


Richard P. McElroy, Esq. (No. 03599)
Blank Rome Comisky & McCauley LLP
Attorney for The Liquidator

CERTIFICATE OF SERVICE

I, Alphonso David, hereby certify that this day a true and correct copy of the foregoing Praecipe for Continuance of M. Diane Koken to Petition to Intervene and for Other Relief of The Fuji Bank Limited was served on David L. Harbaugh, Attorney for The Fuji Bank Limited, by facsimile and U.S. Mail, postage prepaid.



ALPHONSO DAVID

Dated: January 28, 2002