

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE:

**Reliance Insurance Company
in Liquidation**

NO. 1 REL 2001

RE: Liquidator's Application for Approval
of an Estimated Claims Value Process
for Certain Class (e) Proofs of Claim

**ORDER APPROVING AN ESTIMATED CLAIMS VALUE
PROCESS FOR CERTAIN CLASS (e) PROOFS OF CLAIM**

AND NOW, this 25th day of November, 2019, upon consideration of the Liquidator's Application for Approval of an Estimated Claims Value Process for Certain Class (e) Proofs of Claim ("Application"), it is hereby **ORDERED** and **DECREED** as follows:

1. The Application for Approval of an Estimated Claims Value Process for Certain Class (e) Proofs of Claim is approved.
2. When the Liquidator, in her discretion, issues to a claimant a written request for an Estimated Claim Value ("ECV") for a Certain Class (e) Claim¹, the

¹ Certain Class (e) Claims include class only Notices of Determination that did not include an allowed amount and were only issued to indicate the priority class ("CONODS"), including those

claimant must provide the Liquidator with an ECV, along with an explanation of the calculation and information and documentation supporting the calculation for that Certain Class (e) Claim.

3. If a claimant does not provide a properly supported ECV within 90 days from the date of the Liquidator's request², the Liquidator shall issue a \$0 NOD ("ECV NOD") for the claimant's pending POC and objections will not be allowed to the ECV NOD.

4. If a class (e) CONOD is only amended to include an allowed amount, without changing the previously assigned class (e) priority, no objections will be allowed to the previously assigned class (e) priority.

5. Referees currently appointed to hear Reliance objection disputes or Referees appointed to hear Reliance objection disputes in the future, including those involving Guaranty Associations, are directed to expedite the resolution of the objection disputes with the following measures, when appropriate:

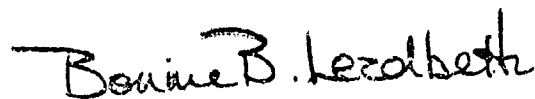
- a. promptly issuing case management orders for appropriately limited discovery, dispositive motions, and briefing schedules;

CONODS issued to GAs, as well as any POCs assigned class (e) priority, but for which NODs have not been issued.

² If the 90 day deadline falls on a Saturday, Sunday, or federal or state holiday, the required information and documentation will be due on the next business day.

- b. bifurcating issues, especially when certain dispositive issues would not require factual development;
- c. utilizing stipulations to limit factual disputes;
- d. addressing any discovery issues by promptly ruling on, for example, motions to compel, motions for protective orders, or motions in limine;
- e. utilizing dispositive motions, such as full or partial summary judgments, when facts are not disputed;
- f. avoiding extensive or unnecessary hearings and oral argument, but scheduling them promptly if the referee deems either to be necessary;
- g. submitting a report and recommendation to the Court within 45 days after the close of evidence or final briefing in an objection proceeding.

6. The Liquidator must serve a copy of this Order on all class (e) claimants to whom Reliance sends a request for an ECV and supporting documentation, including Guaranty Associations, any Referees currently assigned to hear a Reliance objection dispute, and any Referees appointed in the future to hear Reliance objection disputes.



Bonnie Brigance Leadbetter
Senior Judge

Certified from the Record

NOV 26 2019

And Order Exit