

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

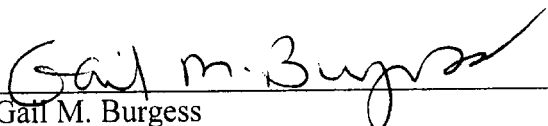
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COMMONWEALTH COURT  
OF PENNSYLVANIA

**AFFIDAVIT OF SERVICE**

Pursuant to the Court's Order of February 20, 2004, the undersigned, on behalf of Diane Koken, Insurance Commissioner of the Commonwealth of Pennsylvania in her capacity as the Statutory Liquidator of Reliance Insurance Company hereby deposes and says that service of the Court's February 20, 2004 Order assigning the claims listed therein to Referee Frank B. Tracy, Esq. was made on the objector, Lugenbuhl, Wheaton, et al. by first class mail and facsimile. The confirmation sheet reflecting service by facsimile on February 26, 2004 is attached hereto.

Dated: February 27, 2004

  
Gail M. Burgess  
Vice President, Associate General Counsel  
Reliance Insurance Company (In Liquidation)  
Three Parkway  
Philadelphia, PA 19102  
Telephone: (215) 864-4000  
Facsimile: (215) 864-4141  
On behalf of the Statutory Liquidator of  
Reliance Insurance Company

**Reliance Insurance Company (In Liquidation)**  
Three Parkway  
Philadelphia, PA 19102-1376

Gail M. Burgess  
Vice President, Associate General Counsel



February 26, 2004

**Via First Class Mail & Facsimile (504) 310-9195**

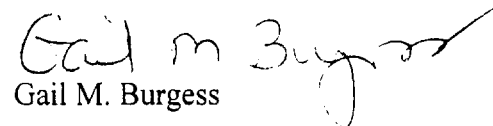
Scott R. Wheaton, Jr., Esq.  
Lugenbuhl, Wheaton, Peck, Rankin & Hubbard  
A Pan-American Life Center  
27<sup>th</sup> Floor  
601 Poydras Street  
New Orleans, Louisiana 70130

Re: February 20, 2004 Order of the Commonwealth Court of Pennsylvania  
regarding Proofs of Claim Number 1396936

Dear Mr. Wheaton:

In accordance with the enclosed Order, the Statutory Liquidator hereby serves by first class mail and facsimile a copy of the February 20, 2004 Order of the Commonwealth Court of Pennsylvania assigning the claims listed in the Order to Referee Frank B. Tracy, Esq. The listed claims include the Objection filed by your firm to the Notice of Determination issued by the Liquidator with regard to Proof of Claim Number 1396936.

Very truly yours,

  
Gail M. Burgess

GB:lm

Enclosure

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  
:  
:

ORDER

AND NOW, this 20<sup>th</sup> day of February, 2004, it is hereby **ORDERED**:

1. That, pursuant to this Court's September 9, 2002 order, the following objections all dealing with like issues are assigned to Frank B. Tracy, Esq. The claims assigned are:

Proof of Claim No.	Court No.
131795	1
1923268	2
1600286	3
13300	5
420126	7
227786	8
248536	9
1735005	10
516585	11
540966	12
131613	100
911499	117
1918850	161
108373	163
119278	164
1525536	171
1931509	172

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1525536	174
1396936	178
1562972	183

The referee shall hear objections to the notices of determination issued by the Liquidator, to submit findings of fact, where appropriate and necessary, and issue recommended decisions regarding said objections.

2. The Liquidator 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 Tracy can be contacted at:

1617 John F. Kennedy Boulevard  
Suite 1500  
Philadelphia, PA 19103  
(215) 557-2900

The Liquidator and objectors shall be prepared to submit copies of their respective notices of determination, objections thereto, and all motions and other filings, if any, to the referee. The Liquidator and objectors 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; and

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 she should not make such payment;

4. The Referee may use the Court's facilities in The Widener Building, 1339 Chestnut Street, Suite 900, Philadelphia, PA, for any conferences or hearings that are necessary, and the Court shall issue such subpoenas as the Referee shall deem necessary; and

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

  
\_\_\_\_\_  
**JAMES GARDNER COLINS, President Judge**

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-RELIANCE INSURANCE -

\*\*\*\*\* -LAW DEPT. - \*\*\*\*\* 12158641544- \*\*\*\*\*

**Reliance Insurance Company (IN LIQUIDATION)**

1 Parkway  
Philadelphia PA 19102-1376



**Reliance**

**FACSIMILE TRANSMITTAL FORM**

To:	Name: <b>Scott R. Wheaton, Jr., Esq.</b>	Office/Co. <b>Lugenbuhl, et al</b>	Fax#: <b>504-310-9195</b>
From:	Name: <b>Gail Burgess</b>	Office/Co. <b>Philadelphia</b>	Fax#: <b>215-864-4141</b>
Date: <b>February 26, 2004</b>	Number of Pages Including Cover Sheet: <b>5</b>	Phone: <b>215-864-4210</b>	

Re: February 20, 2004 Order of the Commonwealth Court of Pennsylvania  
regarding Proofs of Claim Number 1396936

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