

THE COMMONWEALTH COURT OF PENNSYLVANIA

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

Plaintiff,

v.

RELiance INSURANCE COMPANY,

Defendant.

ZENITH INSURANCE COMPANY,

Petitioner,

v.

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

Respondent.

Docket No. 269 M.D. 2001

**STATUTORY LIQUIDATOR'S RESPONSES TO ZENITH INSURANCE  
COMPANY'S PETITION TO SUBMIT DOCUMENTS UNDER SEAL**

M. Diane Koken, Insurance Commissioner of the Commonwealth of Pennsylvania, in her official capacity as Statutory Liquidator of Reliance Insurance Company ("Reliance"), submits this response to Zenith Insurance Company's Petition to Submit Documents Under Seal.

The Statutory Liquidator does not contest Zenith's request to file documents under seal as was required pursuant to a non-disclosure agreement entered into by Zenith, Zenith's counsel, Skadden, Arps, Slate, Meagher & Flom LLP, and Reliance. Accordingly, the Statutory Liquidator has also submitted a copy of the Quota Share Reinsurance Agreement

("Retrocession Agreement") between Inter-Ocean Reinsurance Company and Reliance under seal in its Response to Zenith's Objections to the Denial of a Direct Payment Request.

Since the filing of Zenith's Petition to Submit Documents Under Seal, Baptist Health South Florida, Inc. and Palm Springs General Hospital (the "Hospitals") have filed A Response in Opposition to Zenith Insurance Company's Petition to Submit Documents Under Seal requesting that this Court deny Zenith's request to submit documents under seal. The Statutory Liquidator has learned that Zenith and the Hospitals have agreed to file a stipulation that Zenith may reply to the Hospitals' response by March 22, 2004. At that time, the Statutory Liquidator intends to file its own reply to the Hospital's response.

Respectfully submitted,

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