

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: PENN TREATY NETWORK  
AMERICA INSURANCE COMPANY  
IN REHABILITATION

NO. 1 PEN 2009

IN RE: AMERICAN NETWORK  
INSURANCE COMPANY IN  
REHABILITATION

NO. 1 ANI 2009

APPLICATION FOR RELIEF FOR THE ADMISSION OF  
KATHRYN KENEALLY *PRO HAC VICE*

Teresa D. Miller, in her capacity as statutory rehabilitator (“Rehabilitator”) of Penn Treaty Network America Insurance Company and American Network Insurance Company, hereby moves this Court pursuant to Rule 301 of the Pennsylvania Bar Admission Rules and Rule 1012.1 of the Pennsylvania Rules of Civil Procedure, to specially admit Kathryn Keneally, Esquire to the bar of this Commonwealth for purposes limited to the above-captioned matters and to appear and practice before this Court in all proceedings as her counsel, and in support thereof, aver as follows:

1. Jayne A. Risk, who is a member of the bar of the Commonwealth of Pennsylvania, hereby moves for the admission, *pro hac vice*, of Kathryn Keneally, Esquire.

2. Ms. Keneally is a partner with the law firm of DLA Piper LLP (US) and is a member in good standing of the bar of the State of New York. Ms.

Keneally's office is located at 1251 Avenue of the Americas, 27th Floor, New York, NY 10020.

3. Ms. Risk from the Philadelphia office of DLA Piper LLP (US) serves as counsel of record for the Rehabilitator and will participate in all proceedings.

4. Ms. Keneally agrees to submit to all rules of practice and procedure for the Courts of this Commonwealth, and will work closely with the attorneys of record from the Philadelphia office of DLA Piper LLP (US) in connection with this case. *See* Verified Statement of Candidate Kathryn Keneally, attached hereto as Exhibit A.

5. Ms. Risk is in a position to recommend Ms. Keneally's admission *pro hac vice* to this Court. *See* Verified Statement of Sponsor Jayne A. Risk, attached hereto as Exhibit B.

6. The fee required by Pa. B.A.R. 301(b)(1) and 204 PA. CODE § 81.505(a) has been paid. *See* Fee Certification letter from the Pennsylvania IOLTA Board, attached hereto as Exhibit C.

7. The information required by 204 PA. CODE § 81.504 has been provided to the IOLTA Board. *See* Pennsylvania IOLTA Board Form for *pro hac vice* Admission, attached hereto as Exhibit D.

WHEREFORE, the Rehabilitator. respectfully requests that this Court admit Kathryn Keneally. *pro hac vice* pursuant to Rule 301 of the Pennsylvania Bar Admission Rules.

Respectfully submitted,

/s/ Jayne A. Risk

Carl M. Buchholz

Stephen W. Schwab

Jayne A. Risk

Carl H. Poedtke III

**DLA PIPER LLP (US)**

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*Attorneys for Teresa D. Miller,  
Insurance Commissioner of  
Pennsylvania, in her capacity as  
statutory rehabilitator of Penn Treaty  
Network America Insurance Co. and  
American Network Insurance Co.*

Dated: January 28, 2016

# **Exhibit**

**A**

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

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**VERIFIED STATEMENT OF  
KATHRYN KENEALLY**

Pursuant to Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, the instant candidate for *pro hac vice* admission, Kathryn Keneally, Esquire, verifies as follows:

1. I am a member in good standing of the state bar of New York (ID No. 1866250).
2. With respect to each jurisdiction identified above:
  - (a) I have never been suspended, disbarred, or otherwise disciplined; and
  - (b) I have never been subject to any disciplinary proceedings.
3. The above-captioned insurance receivership is the only currently pending matter in Pennsylvania in which I requested granted admission *pro hac vice*.

4. I will comply with and be bound by the applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

5. I will submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during the appearance in the matter for which admission *pro hac vice* is being sought.

6. I have consented to the appointment of my sponsor, Jayne A. Risk, Esquire and attorneys of record from the Philadelphia office of the firm of DLA Piper LLP (US) as the agents upon whom/which service of process shall be made for all actions, including disciplinary actions, if any, which may arise out of the practice of law in the matter for which admission *pro hac vice* is sought.

I, Kathryn Keneally, hereby verify that the foregoing statements made by me are true. I am aware that, if any of the foregoing statements made by me are willfully false, I am subject to the penalties of 18 PA. CONS. STAT. § 4904, relating to unsworn falsifications to authorities.

Dated: January 28, 2016

/s/ Kathryn Keneally  
Kathryn Keneally

# **Exhibit**

**B**

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**VERIFIED STATEMENT OF  
JAYNE A. RISK**

Pursuant to Pa. B.A.R. 301 and Pa. R.C.P. 1012.1, I, Jayne A. Risk, verify the following:

1. I am admitted to practice in the courts of the Commonwealth of Pennsylvania, and my law license is in good standing. My bar identification number is 80237.
2. Kathryn Keneally is a partner with the law firm of DLA Piper LLP (US) and is seeking admission *pro hac vice* in the above-captioned matters. Ms. Keneally's offices are located at 1251 Avenue of the Americas, 27th Floor, New York, NY 10020.
3. After reasonable investigation, I believe that Ms. Keneally is a reputable, competent and committed attorney and I, therefore, am in a position to



recommend and sponsor her for admission *pro hac vice* for purposes limited to this case and for appearance in practice before this Court in all proceedings and trial as counsel for the Rehabilitator.

4. As of this date, I am not sponsoring the admission *pro hac vice* of any other attorneys in cases pending before any court of the Commonwealth of Pennsylvania.

5. The proceeds from any settlement of the cause of action in which I am requesting that this candidate, Kathryn Keneally, be granted admission *pro hac vice* shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including applicable IOLTA provisions thereof.

I, Jayne A. Risk, hereby verify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: January 28, 2016

/s/ Jayne A. Risk

Jayne A. Risk

# **Exhibit**

**C**