

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America :
Insurance Company in Rehabilitation : No. 1 PEN 2009

ORDER

AND NOW, this 1st day of March, 2017, upon consideration of the request by Teresa D. Miller, Insurance Commissioner of the Commonwealth of Pennsylvania (Commissioner), for a stay of litigation against both Penn Treaty Network America Insurance Company (PTNA) and the Commissioner, as Statutory Liquidator of PTNA,¹ and Sections 526, 543 and 560 of Article V of The Insurance Department Act of 1921,² 40 P.S. §§221.26, 221.43, and 221.60, it is hereby **ORDERED** that:

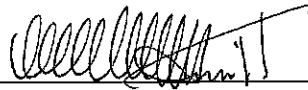
1. The request for a stay of litigation is **GRANTED**.
2. Unless the Liquidator consents thereto in writing, no action at law or in equity, including, but not limited to, an arbitration or mediation, the filing of any judgment, attachment, garnishment, lien or levy of execution process against PTNA or its assets, shall be brought against PTNA or the Liquidator or against any of their employees, officers or liquidation officers for acts or omissions in their capacity as employees, officers or liquidation officers of PTNA or the Liquidator, whether in this Commonwealth or elsewhere, nor shall any such existing action be maintained or further prosecuted after the effective date of this Order. All above-

¹ The Commissioner's Verified Petition to Convert Rehabilitation to Liquidation requests a stay of all litigation against PTNA and the Liquidator. Contemporaneously with this Order, this Court granted the Verified Petition and ordered PTNA to be liquidated.

² Act of May 17, 1921, P.L. 789, *as amended*. Article V was added by the Act of December 14, 1977, P.L. 280, *as amended*, 40 P.S. §§221.1 – 221.63.

enumerated actions currently pending against PTNA in the courts of the Commonwealth of Pennsylvania or elsewhere are hereby stayed; relief sought in these actions shall be pursued by filing a proof of claim against the estate of PTNA pursuant to Section 538 of Article V, 40 P.S. §221.38.

3. This stay applies to actions brought by secured creditors, lienholders, collateral holders or other persons claiming secured, priority or preferred interests in any property or asset of PTNA, who seek to transfer, sell, assign, encumber, attach, dispose of, or exercise their purported rights in or against any property or assets of PTNA, except as provided in Section 543 of Article V, 40 P.S. §221.43.



MARY HANNAH LEAVITT, President Judge

Certified from the Record

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And Order Exit