

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America
Insurance Company in Rehabilitation

DOCKET NO. 1 PEN 2009

In Re: American Network Insurance
Company in Rehabilitation

DOCKET NO. 1 ANI 2009

RECEIVED & FILED
COMMONWEALTH COURT
OF PENNSYLVANIA
27 MAR 2015 14:14

**ACTING STATUTORY REHABILITATOR TERESA D. MILLER'S
APPLICATION FOR RELIEF
SEEKING ENTRY OF A PROTECTIVE ORDER**

Pennsylvania Acting Insurance Commissioner Teresa D. Miller, in her capacity as statutory rehabilitator ("Rehabilitator") of Penn Treaty Network America Insurance Company ("PTNA") and American Network Insurance Company ("ANIC"), hereby requests that the Court enter a protective order establishing that Intervenors' Requests for Production Nos. 1-8, 10, and 12-17 fall outside the scope of permissible discovery and constitute an undue burden, and that the Rehabilitator need not respond to those requests, except as they relate to the express provisions of the Second Amended Plan to which interested parties have filed objections. The Rehabilitator further requests that the Court enter an order that discovery to be obtained from the Rehabilitator must be limited to the following topics:

- (a) The subject of objections to the Second Amended Plan raised by interested parties in timely filed Formal Comments;
- (b) The Rehabilitator's decision, made through the Special Deputy Rehabilitator, to select a business-division approach as her proposed rehabilitation plan; and
- (c) The actuarial analysis and methodology upon which the Second Amended Plan is based.

Additionally, the Rehabilitator requests that the Court quash the notice for the deposition of Michael Consedine. The reasons supporting the requested relief are set forth in the attached Brief in Support of this Application for Relief.

Respectfully submitted,

Dated: March 27, 2015

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her capacity as statutory rehabilitator of
Penn Treaty Network America Insurance Co.
and American Network Insurance Co.*

- (b) The Rehabilitator's decision, made through the Special Deputy Rehabilitator, to select a business-division approach as her proposed rehabilitation plan; and
 - (c) The actuarial analysis and methodology upon which the Second Amended Rehabilitation Plan is based.
- (3) The Intervenors' notice for the deposition of Michael Consedine is quashed. Intervenors shall not be permitted to take Mr. Consedine's deposition.

HON. MARY HANNAH LEAVITT
Judge of the Commonwealth Court