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IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Joel Ario, :
Insurance Commissioner of the :
Commonwealth of Pennsylvania, :
Plaintiff :

v. : No. 4 M.D. 2009

American Network Insurance :
Company, :
Defendant :

Rec'd By Legal
JUN 10 2009

Re: PROCEDURES FOR FILING AND SERVICE

ORDER

AND NOW, this 9th day of June, 2009, it is hereby ORDERED as follows:

1. All filings in the American Network Insurance Company in Rehabilitation proceeding shall be made with the Office of Chief Clerk of the Commonwealth Court of Pennsylvania, Irvis Office Building, Room 624, Harrisburg, Pennsylvania 17120.

2. Each filing made with the Office of the Chief Clerk shall consist of one original and two copies. Courtesy copies of filings should not be provided to the judge's chambers unless specifically requested.

3. Unless, and until, this Court orders the American Network Insurance Company in Rehabilitation proceeding to be consolidated with the companion rehabilitation proceeding at No. 5 M.D. 2009, relating to Penn Treaty

Network America Insurance Company, filings shall be separately captioned and docketed.

4. The Rehabilitator shall continue to compile and maintain a Master Service List including (a) the name, address, telephone number, facsimile (fax) number, if any, and electronic mail (e-mail) address, of any of the lead counsel for each litigant who enters an appearance in this matter, and (b) the name, address, telephone number, facsimile (fax) number, if any, and electronic mail (e-mail) address of each *pro se* litigant who enters an appearance in this matter. Changes in contact information, including transfer of responsibilities to another attorney in the firm, and requests to be removed from the Master Service List may be accomplished by submitting a written request via e-mail to rehablist@penntreaty.com or by regular mail to Master Service List, American Network Insurance Company, 3440 Lehigh Street, Allentown, PA 18103; Attention: Jane Bagley, Esquire; or via fax to the attention of Master Service List, 610-967-1098.

5. The Rehabilitator shall post and maintain the Master Service List on www.penntreaty.com, and shall also make the Master Service List available upon request at cost of \$1.00 per page.

6. In any matter initiated by intervention in this American Network Insurance Company in Rehabilitation proceeding, the moving party (Intervenor) shall serve all persons on the Master Service List with the petition to intervene, application for relief, complaint, or other request for affirmative relief sought from American Network Insurance Company in Rehabilitation or from the Rehabilitator. Each such matter shall be separately identified by a "Re: _____" line below the case caption. Intervenor's service on those on the Master Service List need not include exhibits

attached to the petition; however, Intervenor's service on the Rehabilitator shall include a copy of all exhibits attached to the petition.

7. The Rehabilitator shall file a response to Intervenor's petition or request for affirmative relief, regardless of how it is captioned, within thirty (30) days, unless otherwise agreed to by the putative Intervenor or ordered by the Court. The Rehabilitator shall serve his response upon all persons on the Master Service List, but need not include any exhibits attached to his response; however, the Rehabilitator's service on the Intervenor shall include a copy of all exhibits attached to the response.

8. Thereafter, service of filings made with respect to an Intervenor's request for affirmative relief shall be made by the Rehabilitator in accordance with ¶10 of this Order; the Intervenor need only serve the Rehabilitator.

9. Any person on the Master Service List desiring a copy of any filing made with respect to an Intervenor's request for affirmative relief, can obtain a copy of the filing by requesting it from the Rehabilitator or from the Intervenor.

10. Except as required in ¶8 of this Order, all filings made by the Rehabilitator in the American Network Insurance Company in Rehabilitation proceeding shall be served upon those on the Master Service List in the manner that follows:

- (a) As soon as practicable, the Rehabilitator shall:
 - (i) Post a copy of its Court filing in Adobe PDF format on the American Network Insurance Company website at www.penntreaty.com which is maintained by the Rehabilitator and

covers both the American Network Insurance Company and Penn Treaty Network America Insurance Company proceedings.

- (ii) Transmit by facsimile or electronic mail ("e-mail") a Notice of Filing, in the form attached hereto as Exhibit A, upon each person on the Master Service List.

(b) The Notice of Filing shall include the following:

- (i) The title or description of the filing made by the Rehabilitator with the Court;
- (ii) The date of the filing;
- (iii) Directions on how interested persons may view, download, or print a copy of the filing from the American Network Insurance Company website at www.penntreaty.com.
- (iv) The statement that the filing is available for viewing, downloading, or printing at the website at www.penntreaty.com and
- (v) The telephone number, facsimile number and e-mail address of American Network Insurance Company for those unable to view, download, or print the filing at the

American Network Insurance Company
website.

- (c) Upon transmission of the Notice of Filing by facsimile or e-mail, service is complete.
- (d) If the Notice of Filing is transmitted by facsimile, the Rehabilitator shall also comply with the requirements of Pennsylvania Rule of Civil Procedure 440(d)(2), relating to a facsimile cover sheet.
- (e) Notwithstanding the foregoing, any person on the Master Service List may request, in writing sent to the Rehabilitator, that service of a filing only be made upon such person as provided in Rule 440(a)(1) and (2), relating to service by hand-delivery or mailing.
- (f) For those on the Master Service List who have not provided the Rehabilitator with a facsimile number or a valid e-mail address, the Rehabilitator shall complete service in accordance with Rule 440(a)(1)(i) and (2), by hand-delivery or by mailing a copy of the filing.
- (g) For those on the Master Service List served by electronic means, the Rehabilitator shall certify that they were served a Notice of Filing by facsimile or e-mail and that an electronic copy of the filing in

Adobe PDF format is available on the American Network Insurance Company website at www.penn treaty.com.

11. Notwithstanding the foregoing, the Rehabilitator may, in his discretion, make service of filings in this rehabilitation proceeding in accordance with the provisions of Pennsylvania Rule of Civil Procedure 440.

12. All Orders issued by this Court shall be posted on the Penn Treaty Website and may be served by the Rehabilitator as outlined in paragraph 10 unless otherwise ordered by the Court. Affidavits of Service need not be posted on the Penn Treaty Website.

13. All interested persons on the Master Service List are encouraged to provide the Rehabilitator with a fax number or e-mail address through which service may be made.

14. A copy of this Order shall be posted on the following websites: www.ins.state.pa.us and www.penn treaty.com and shall be served on all persons on the Master Service List.



MARY HANNAH LEAVITT, Judge

Certified from the Record

JUN 10 2009

and Order Exit

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