

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

IN RE: PENN TREATY NETWORK :  
AMERICA INSURANCE COMPANY : NO. 1 PEN 2009  
IN REHABILITATION :

IN RE: AMERICAN NETWORK :  
INSURANCE COMPANY IN : NO. 1 ANI 2009  
REHABILITATION :

**RESPONSE OF INTERVENORS EUGENE J. WOZNICKI AND  
PENN TREATY AMERICAN CORPORATION TO THE  
PETITION FOR APPROVAL OF SECOND AMENDED PLAN**

Eugene J. Woznicki and Penn Treaty American Corporation (“PTAC”)

(collectively, “Intervenors”) respectfully request that this Court deny the Rehabilitator’s Petition for Approval of Second Amended Plan of Rehabilitation for Penn Treaty Network America Insurance Company (PTNA) and American Network Insurance Company (ANIC) and for Liquidation of PTNA (“Petition”), and in response to each paragraph of the Petition state as follows:<sup>1</sup>

1. It is admitted that a document entitled the Second Amended Plan of Rehabilitation and Disclosure Statement for PTNA and ANIC (“Plan”) is attached as Exhibit A to the Petition. It is denied that the Rehabilitator’s development of the Plan complies with this Court’s Orders of January 6, 2009 and May 3, 2012 that the Rehabilitator develop and submit a plan of rehabilitation for the Companies. The remaining allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required.

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<sup>1</sup> Intervenors incorporate by reference as if fully set forth herein: (1) Intervenors’ Formal Comments to the proposed Second Amended Plan concurrently filed on February 13, 2015; and (2) Intervenors’ Brief In Response To The Rehabilitator’s Application For Relief *In Limine* To Establish Standards Of Review Applicable To The Proposed Rehabilitation Plan, which will be filed on February 17, 2015, in accordance with the Court’s December 3 and 19, 2014 Orders.

2. The allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required.

3. The allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required.

4. The allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required. By way of further response, Intervenors intend to participate in the hearing on the Plan and will seek appropriate discovery prior to the hearing. They reserve the right to amend or supplement their Formal Comments, argue comments made by any other person or entity filing comments, and offer additional evidence and arguments at the hearing on the Plan.

5. The allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required.

6. The allegations of this paragraph are denied as conclusions of law to which no responsive pleading is required.

For the reasons stated herein, Eugene J. Woznicki and Penn Treaty American Corporation respectfully request the Court to enter the attached Order denying the relief requested in the Petition.

Respectfully submitted,

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Dated: February 13, 2015

*Attorneys for Intervenors Eugene J. Woznicki  
and Penn Treaty American Corporation*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 13, 2015, I caused a true and correct copy of the foregoing Response of Intervenors Eugene J. Woznicki and Penn Treaty American Corporation to the Petition for Approval of Second Amended Plan to be served via e-mail and first-class U.S.

Mail on the counsel listed below:

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/s/ Benjamin M. Schmidt  
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**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2015, upon consideration of the Rehabilitator's Petition for Approval of Second Amended Plan of Rehabilitation for Penn Treaty Network America Insurance Company (PTNA) and American Network Insurance Company (ANIC) and for Liquidation of PTNA ("Petition"), the Response and Comments of Intervenors Eugene J. Woznicki and Penn Treaty American Corporation, the testimony and arguments presented at an evidentiary hearing, and any post-hearing briefing of the parties, it is hereby ORDERED that the Petition is

\_\_\_\_\_ DENIED in its entirety

\_\_\_\_\_ APPROVED AS AMENDED in accordance with the accompanying

Memorandum.

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Mary Hannah Leavitt, Judge