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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

**INTERVENORS' SUPPLEMENTAL APPLICATION FOR RELIEF
TO RECOVER PROFESSIONAL FEES, COSTS AND OTHER EXPENSES
AWARDED PURSUANT TO 40 P.S. § 221.18(a) AND THE COURT'S
AMENDED OPINION DATED DECEMBER 28, 2012**

In Intervenors' Supplemental Application For Relief To Recover Professional Fees, Costs And Other Expenses Awarded Pursuant To 40 P.S. § 221.18(a) And The Court's Amended Opinion Dated December 28, 2012 ("Supplemental Fee Application"), Intervenors Eugene J. Woznicki And Penn Treaty American Corporation ("PTAC") (together, "Intervenors") supplement their petition to recover professional fees, costs, and other expenses to defend against the Petitions to Liquidate ("Petitions") Penn Treaty Network America Insurance Company ("PTNA") and American Network Insurance Company ("ANIC") (together, "Companies") that were incurred after those sought in Intervenors' original petition that was filed pursuant to Section 518(a) of Article V, 40 P.S. § 221.18(a), and the Court's Opinion and Order dated May 3, 2012, as amended on December 28, 2012 (the "Amended Opinion" and the "Order").¹

¹ Intervenors continue to incur costs and expenses in defense against the Petitions and will file a final fee application for relief to recover those amounts at the appropriate time.

I. THE COURT CONCLUDED THAT INTERVENORS ARE ENTITLED TO AN AWARD OF REASONABLE ATTORNEYS' FEES AND COSTS AND GRANTED INTERVENORS' ORIGINAL FEE PETITION THAT SOUGHT RECOVERY OF AMOUNTS INCURRED AS OF FEBRUARY 2012

1. In denying the Rehabilitator's Petitions, the Court concluded that "Intervenors have provided a thorough and careful defense to the petitions and are entitled to an award of reasonable attorneys' fees and costs pursuant to Section 518(a) of Article V, 40 P.S. 221.18(a), in an amount to be determined at a later date." Amended Opinion at 159, Conclusion of Law ¶ 6.

2. On May 18, 2012 Intervenors filed their "Petition to Recover Professional Fees, Costs And Other Expenses Awarded Pursuant to 40 P.S. § 221.18(a) And The Court's Memorandum Opinion And Order Dated May 3, 2012" (the "Fee Petition") to recover professional fees and other costs and expenses incurred in the defense of the Petitions as of February 2012. A copy of the Fee Petition is attached hereto as Exhibit 1.

3. Intervenors supported the Fee Petition with details of the professional fees, costs and expenses incurred, supporting billing descriptions, invoices, affidavits and exhibits, and objective data regarding attorney billing rates. *See* Fee Petition; Disk Containing Support for Fee Petition provided to the Court on May, 23, 2012 ("Fee Petition Support"); Affidavit of Douglas Y. Christian dated June 28, 2012 and Exhibits ("Christian Affidavit").

4. The Fee Petition only included costs and expenses incurred before March 2012.

5. Intervenors notified the Court and the Rehabilitator that Intervenors "continue to incur costs and expenses in connection with their defense of the Petitions and with this petition, and will supplement this petition to recover those amounts." Fee Petition at 2 n.1, 54.

6. On June 11, 2012, the Rehabilitator filed a Certificate of No Objection providing that he "has reviewed the Petition and does not contest the Intervenors' request for relief" and

“requests the Court enter an Order . . . approving the Petition.” A copy of the Certificate of No Objection is attached hereto as Exhibit 2.

7. After a conference call in which Pennsylvania Insurance Department lawyers Ms. Daubert and Ms. Lucas represented to the Court that the Fee Petition and Fee Petition Support had been carefully reviewed and found to be in order, on July 6, 2012 the Court issued an Order granting the Fee Petition in its entirety. A copy of the July 6, 2012 Order is attached hereto as Exhibit 3.

II. INTERVENORS ARE ENTITLED TO RECOVER THEIR PROFESSIONAL FEES, COSTS AND EXPENSES INCURRED AFTER FEBRUARY 2012

8. In this Supplemental Fee Application, Intervenors seek to recover the professional fees, costs and expenses they incurred after February 2012: (i) preparing the Fee Petition and Fee Petition Support; (ii) responding to a list of post-closing argument questions from the Court requesting information to explain highly technical actuarial issues (the “Post-Closing Argument Questions”); (iii) defending against two motions filed by the Rehabilitator seeking to overturn or stay the Court’s Order; and (iv) defending against the Rehabilitator’s appeal from the Order of the Commonwealth Court of September 28, 2012 to the Supreme Court of Pennsylvania, Nos. 94 & 95 MAP 2012 (the “Appeal”).²

9. These fees and expenses of the defense sought herein are recoverable pursuant to 40 P.S. § 221.18(a) and the Court’s Amended Opinion and Order because they were reasonably necessary to defend against the Rehabilitator’s liquidation efforts, for all the reasons set forth in the Fee Petition and in this Supplemental Fee Application.

² Intervenors have incurred significant additional fees and expenses relating to their dealings with the Rehabilitator since the Petitions were denied, some of which the Rehabilitator has reimbursed it for but much of which it has not. Those are not sought in this Supplemental Fee Petition, but Intervenors reserve the right to make a future application for those fees and expenses as appropriate.

10. Intervenor continue to be represented by the same three attorneys from Ballard Spahr LLP (“Ballard”), partner Douglas Y. Christian and associates Damian L. DiNicola and Benjamin M. Schmidt, with limited support from junior associates and paralegals. They also continue to use the same actuarial consultant, United Health Actuarial Service (“UHAS”). The number of professionals employed by Intervenor is reasonable, especially by comparison to those employed by the Rehabilitator. *See* Fee Petition at 23-25.³

11. No objection was filed to the billing rates of Intervenor’s professionals in the Fee Petition. After Intervenor filed the Fee Petition, the Court asked for information regarding the reasonableness of the billing rates of Ballard’s associates, which information was provided to the Court by way of the Christian Affidavit and its Exhibits filed under seal. The Court approved the professional fees sought in the Fee Petition in their entirety.

12. Intervenor are entitled to recover the additional professional fees, costs and other expenses for work detailed below and in the supporting documentation that will be provided to the Court for *in camera* review and to the Rehabilitator.⁴

³ Since the Fee Petition was filed, six attorneys from DLA Piper have been enrolled by the Rehabilitator to represent him in these proceedings (Mr. Buchholz, Ms. Risk, Mr. Schwab, Mr. Poedtke, Mr. Heller, and Mr. Brown). These attorneys together with the seven attorneys from Cozen O’Connor (Judge Colins, Mr. Harty, Mr. Potts, Ms. Meloni, Ms. Hogben, Mr. Fiebach, and Ms. Davies) and at least four attorneys from the Pennsylvania Insurance Department (Ms. Lucas, Mr. Buckman, Ms. Daubert, and Ms. Gargiulo) bring the total number of attorneys who have represented the Rehabilitator in these proceedings to at least seventeen. In sharp contrast to the Rehabilitator’s aggressive deployment of lawyers since the conclusion of the hearing, only one Ballard lawyer has attended meetings, conferences, and other discussions in order to minimize legal fees in this matter.

⁴ The procedure employed by Intervenor in filing this Supplemental Fee Petition and in providing the support therefor to the Court and the Rehabilitator is consistent with the approved approach taken in the context of the Fee Petition.

13. The legal authority and standards for recovering the professional fees, costs and other expenses of the defense in this context were addressed in Intervenor's Fee Petition and were not disputed by the Rehabilitator. Intervenor incorporates by reference their Fee Petition in support of this Supplemental Fee Application. *See* Fee Petition at 1-5, 40-43, 53-54.

A. The Fees And Costs Associated With The Original Fee Petition

14. This matter has been complicated, lengthy and time consuming. *See* Fee Petition at 4-14, 40-54. Preparing the Fee Petition required significant attorney time and effort. Intervenor carefully reviewed thousands of billing and expense entries from October 2009 to February 2012 for inclusion in the Fee Petition.

15. Although the careful review process was time consuming, it led to a substantial reduction in the amount sought in the Fee Petition versus the amounts that Intervenor's professionals actually billed, culminating in a \$222,466.40 reduction in the amount that Intervenor sought to recover from the Companies in addition to over a million dollars of reductions that had already been provided to Intervenor through write-offs and discounted rates. *See* Fee Petition at 19-21.

16. Accordingly, in addition to being necessary to ensure that the Fee Petition properly reflected recoverable work performed in the defense of the Petitions, Intervenor's careful review of the extensive billing records for this matter resulted in substantial additional savings to the Companies.

17. Further, substantial time and effort were required to thoroughly describe the work and expenses involved in this matter in the Fee Petition and to prepare the more than 500 pages of spreadsheets, invoices and billing details that were submitted to the Court to support the Fee Petition. *See* Fee Petition Support.

B. The Court's Post Closing Argument Questions

18. After closing arguments concluded and before issuing its decision, the Court requested additional information and support from the record to help explain a number of highly technical actuarial issues and related testimony.

19. Answering the Post-Closing Argument Questions required additional assistance from and consultation with Intervenors' actuarial expert UHAS. It also required additional review of the voluminous record to provide support for the answers provided to the Court on March 12, 2012.

C. The Rehabilitator's Post-Trial Motions

20. After the Court issued its Opinion and Order the Rehabilitator submitted two motions that required Intervenors' response.

21. On May 14, 2012, the Rehabilitator filed a Post-Trial Motion asserting a dozen assignments of error and asking the Court to completely reverse course and "issue an order granting the Petitions for liquidation." Post-Trial Motion at 20.

22. On June 8, 2012, the Rehabilitator filed a Motion For Clarification of The Court's May 3, 2012 Order or, in The Alternative, to Stay (the "Motion For Clarification").

23. Intervenors objected to both the Post-Trial Motion and the Motion for Clarification but attempted to negotiate a resolution with the Rehabilitator to avoid the costs of preparing a formal response. They were unable to do so.

24. On June 22, 2012, Intervenors filed a Memorandum of Law in Opposition to the Motion For Clarification. Intervenors argued that the Motion should be denied on the merits and on procedural grounds, but they did not object to extending the deadline to file a plan by 90 days. *See Response to Motion For Clarification at 1-2.*

25. On June 25, 2012 the Court denied the Motion For Clarification but permitted the Rehabilitator to request a reasonable extension of time to file a plan of rehabilitation.

26. On June 29, 2012, Intervenors filed their Brief in Opposition to the Rehabilitator's Post-Trial Motion.

27. The Post-Trial Motion included more than a dozen exceptions to the Court's Order, most of which did not specifically identify where in the record the objections originated or offer substantive argument.

28. To defend against the Post-Trial Motion Intervenors undertook the tedious and time consuming process of sifting through the voluminous record to attempt to identify and address the purported sources of the Rehabilitator's objections. Addressing each of the procedural and substantive issues raised in each of the Rehabilitator's exceptions also required substantial legal research and analysis, culminating in a 62-page opposition brief.

29. Intervenors' defense against the Rehabilitator's Post-Trial Motion and Motion For Clarification was reasonably necessary given that the motions sought to reverse or stay the Court's Order denying the liquidation Petitions. Intervenors are entitled to recover the fees and expenses associated with the defense thereof pursuant to 40 P.S. § 221.18(a) and the Court's Amended Opinion and Order.

D. Intervenors' Defense Against The Rehabilitator's Efforts To Obtain Liquidation By Way Of His Appeal

30. Intervenors' defense against the liquidation efforts in the context of the Rehabilitator's appeal has been work intensive due to the huge record and large number of complex issues raised by the Rehabilitator and *amici curiae*.

31. In the Appeal, the Rehabilitator has requested the Supreme Court of Pennsylvania to reverse and remand the Commonwealth Court's Order of September 28, 2012 denying the

Rehabilitator's Post-Trial Motion that requested "an order granting the Petitions for liquidation." Post-Trial Motion at 20.

32. On October 26, 2012, the Rehabilitator filed a Notice of Appeal and Jurisdictional Statement in Support of Notice of Appeal in the Commonwealth Court. On November 8, 2012, Intervenors filed an Answer thereto in the Supreme Court of Pennsylvania. Beginning on October 26, 2012, Intervenors' counsel also became engaged in conducting research and analysis in connection with the Appeal in preparation for drafting Intervenors' appellate brief.

33. On November 15, 2012, the Rehabilitator filed an Application For Relief Pursuant to Pa.R.A.P. 123 and 105(b) seeking an extension of time to review and object to the text of the transcripts transmitted by the Court Reporter to the Commonwealth Court. On November 16, 2012, Intervenors filed an Answer thereto in the Commonwealth Court.

34. Between November 16, 2012 and January 18, 2013, Intervenors' counsel were engaged in reviewing the Rehabilitator's objections and proposed corrections to the text of 32 days' of transcripts and preparing Intervenors' own objections and proposed corrections to the text of the transcripts. The fact that the Court Reporter had not retained a copy of the sound recording of the trial testimony complicated this process. As a result, counsel for the Rehabilitator and Intervenors engaged in a significant amount of review and discussion regarding a number of proposed corrections to the text of the transcripts.

35. On July 8, 2013, the Rehabilitator filed a Designation of Contents of Reproduced Record in the Supreme Court of Pennsylvania. Intervenors reviewed the Rehabilitator's Designation and filed a Counter-Designation on July 18, 2013.

36. On August 5, 2013, the Rehabilitator filed his Brief For Appellant seeking to reverse and remand the decision of the Commonwealth Court, and a 17-volume Reproduced Record.

37. On August 5, 2013, *Amicus Curiae* National Association of Insurance Commissioners (“NAIC”), Pennsylvania Life and Health Insurance Guaranty Association (“PALHGA”), and National Organization of Life and Health Insurance Guaranty Associations (“NOLHGA”) filed two *Amicus Curiae* Briefs. The principal brief filed by the Rehabilitator and the two *Amicus Curiae* Briefs totaled 132 pages.

38. The trial in this matter lasted 31 days, and the Reproduced Record contained 16,128 pages. There were thousands of pages of exhibits introduced into evidence, 11 witnesses, and 31 days of transcripts of trial testimony and closing arguments. The Amended Opinion is 164 pages long. Accordingly, Intervenor’s prepared and filed applications for an extension of time to file their Appellees’ Brief and to exceed page limitations.

39. On October 4, 2013, Intervenor’s filed their 90-page Appellees’ Brief.

40. On October 18, 2013, the Rehabilitator filed a 35-page Reply Brief and an Application For Relief to Allow *Amicus* Leave to File Response to Brief And Strike Portions of Brief.

41. On October 18, 2013, Appellant *Amicus Curiae* Committee of Policyholders of PTNA and ANIC (“Policyholders’ Committee”) filed an *Amicus Curiae* Brief. The Pennsylvania Supreme Court’s Prothonotary rejected that filing as untimely. On November 1, 2013, the Policyholders’ Committee filed an Application For Leave to File Brief *Nunc Pro Tunc*.

42. On November 1, 2013, Intervenor’s filed an Answer to the Rehabilitator’s Application to Allow *Amicus* Leave to File Response to Brief And Strike Portions of Brief.

43. On November 6, 2013, Intervenors filed an Application For Relief to Suppress Portions of the Rehabilitator's Reply Brief and For Leave to File Sur-Reply Brief.

44. On November 14, 2013, Intervenors filed in the Supreme Court of Pennsylvania an Answer to Application For Leave to File Brief *Nunc Pro Tunc*.

45. The vast majority of the above legal work performed on behalf of Intervenors was performed by their counsel with the lowest billing rate, Mr. Schmidt.

46. By contrast the Rehabilitator engaged at least six attorneys from the law firm of DLA Piper (Mr. Buchholz, Ms. Risk, Mr. Schwab, Mr. Poedtke, Mr. Heller, and Mr. Brown) and Mr. Potts from the law firm of Cozen O'Connor in the Appeal.

47. In addition, at least eleven more attorneys representing the NAIC (Mr. Arth, Ms. Burke, Mr. Schelp, and Ms. Heidenreich), the PA GA and NOLHGA (Mr. Bradshaw, Mr. Richardson, Mr. Herzog, Ms. Wilson, and Ms. Glawe), and the Policyholders' Committee (Mr. Leonard and Mr. Limburgh), have filed *amicus curiae* briefs and other papers in the Appeal.

48. The defense against the liquidation efforts in the context of the Appeal was reasonably necessary, as without such advocacy the Rehabilitator would obtain the relief he sought in the Petitions.

III. INTERVENORS' SUPPLEMENTAL PROFESSIONAL FEES AND COSTS

A. Intervenors' Attorneys' Fees

49. Intervenors continue to be represented by the same three Ballard attorneys that have consistently provided the defense in this matter, Ballard partner Mr. Christian and senior associates Mr. DiNicola and Mr. Schmidt, with limited assistance from junior associate attorneys and paralegals. The Ballard defense team's expertise and discounted billing rates are set forth in detail in the Fee Petition at 14-25.

50. Additional Ballard associates, Atarah Hornezes, Lindsey Breedlove, Paul Koob, Irene Lax, and Thomas Gallagher assisted periodically in connection with the defense against the Appeal by conducting legal research and assisting in preparing various portions of applications and memoranda as needed.

51. Increases in billing rates since the Fee Petition are due to the progressively greater experience and seniority of Intervenor's professionals between 2009 and 2013 reflected by standard yearly increases in the general market rates for attorneys at Ballard and other similarly situated firms. For example, during 2012 and 2013, Mr. Christian's standard hourly billing rate ranged from \$675 to \$700, commensurate with his experience and specialized expertise. During 2012 and 2013, Mr. DiNicola's standard hourly billing rate ranged from \$480 to \$500. During 2012 and 2013, Mr. Schmidt's standard hourly billing rate ranged from \$415 to \$430.

52. The effective hourly rates for amounts sought in the Fee Petition for Mr. Christian, Mr. DiNicola, and Mr. Schmidt were \$520, \$352, and \$288, respectively. The effective hourly rates for amounts sought in this Supplemental Fee Application for Mr. Christian, Mr. DiNicola, and Mr. Schmidt are \$550, \$385, and \$340, respectively.⁵ The effective hourly rates for amounts sought in this Supplemental Fee Application for additional Ballard associates is \$232 on average. The rates continue to be reasonable for all the reasons set forth in the 2012 Fee Petition and Christian Affidavit, and in this Supplemental Fee Application.⁶

⁵ The "Effective Hourly Rate" in the seventh column in the table in paragraph 53 herein is the hourly rate for the professional as determined by the total "Amount Sought" in the eighth column divided by the number of "Hours Sought" in the sixth column.

⁶ The effective hourly rates of Intervenor's legal professionals measured against their total hours recorded -- including the 173.5 hours of services performed for which no recovery is sought, *see* paragraphs 53-58, *infra* -- is markedly lower than their effective hourly rates measured against the lesser number of hours for which recovery is sought by way of this Supplemental Fee Petition.

53. Intervenor seek to recover the following legal professional fees that they incurred for the categories of work in this matter described above:

<u>Fee Earner</u>	<u>Hours Recorded</u>	<u>Recorded Value</u>	<u>Hours Billed</u>	<u>Billed Amount</u>	<u>Hours Sought</u>	<u>Effective Hourly Rate</u>	<u>Amount Sought</u>
Christian	231.1	\$158,927.50	231.1	\$127,142.00	231.1	\$550	\$127,142.00
DiNicola	374.2	180,058.00	340.1	130,952.00	340.1	\$385	\$130,952.00
Schmidt	713.7	\$303,603.00	713.7	\$242,882.40	713.7	\$340	\$242,882.40
Additional Attorneys	230.3	\$66,841.00	230.3	\$53,472.80	230.3	\$232 (average)	\$53,472.80
Paralegals	204.2	\$45,901.00	204.2	\$36,720.80	204.2	\$180 (average)	\$36,720.80
TOTAL	1,753.5	\$755,330.50	1,719.4	\$591,170.00	1,719.4	--	\$591,170.00

54. These amounts were determined as follows. Timekeepers kept timesheets that generated monthly billing reports that were reviewed by Mr. Christian for accuracy. For several reasons, many recorded hours were reduced before the bills were sent to the clients for payment.

55. The monthly invoices submitted to Intervenor for payment show the services rendered on behalf of Intervenor, the particular fee earner who performed those services, when those services were rendered, the amount of time that was billed for those services, and the amount billed for those services. The total fees for those services, after write-offs, were then discounted by 20% of Ballard's standard hourly rates, and that amount was billed to Intervenor.

56. By virtue of the write-offs and discounts that were provided before invoices were sent to the clients the amount that was billed to Intervenor was \$164,255.00 less than the amount that would have been billed at Ballard's standard rates.

57. Intervenor's have separately reduced the amount of fees sought in this Supplemental Fee Application by voluntarily excluding an additional 139.4 hours of Ballard services performed in connection with the categories of work described above with a recorded value of \$69,232.50. The following table summarizes the magnitude of additional services performed in relation to the categories of work described above for which no amounts are sought in the Supplemental Fee Application:

Summary of Additional Services Performed For Which No Recovery Is Sought				
<u>Category</u>	<u>Hours Recorded</u>	<u>Recorded Value</u>	<u>Hours Billed</u>	<u>Billed Amount</u>
Fee Petition	63.6	\$30,282.00	64.3	\$24,225.60
Post-Trial Motion Response	53.5	\$27,394.50	25.6	\$11,202.00
Appeal	21.6	\$11,556.00	20.6	\$9,023.60
TOTAL	139.4	\$69,232.50	110.5	\$44,451.20

58. Accordingly, by virtue of both the discounts and write-offs that were applied for the amounts sought in this Supplemental Fee Application, and the voluntary exclusion of the above additional amounts, the Ballard fees sought to be received is \$233,487.50 less than the amounts recorded at Ballard's standard non-discounted rates in connection with the categories of work described above in this matter. That amount reflects 173.5 hours of services for which no recovery is sought.

59. To support the legal fees being sought, in addition to this verified application, Intervenor's will produce to the Court and the Rehabilitator spreadsheets describing: (i) the legal services provided for which they seek reimbursement; (ii) the legal professional who performed

the services; (iii) when the services were rendered; (iv) the amount of time it took to perform the services; (v) the undiscounted value of the services; (vi) the amount billed to Intervenor for the services; and (vii) the amount sought by way of this Supplemental Fee Application.⁷

60. As set forth in the original Fee Petition at pages 23-25, Intervenor's legal fees sought in this Supplemental Fee Application are also necessary in light of, and reasonable by comparison to, the law firms and attorneys representing the Rehabilitator. *See also* n.3, *supra*.

B. Intervenor's Experts' Fees

61. As set forth in the Fee Petition, to support the defense, Intervenor has also retained and utilized the services of UHAS.

62. Intervenor seeks to recover the following professional fees paid to UHAS in connection with the Post-Closing Argument Questions, which amount reflects a 20% discount:

Expert	<u>Hours Recorded</u>	<u>Recorded Value</u>	<u>Hours Billed</u>	<u>Billed Amount</u>	<u>Hours Sought</u>	<u>Effective Hourly Rate</u>	<u>Amount Sought</u>
Volkmar	8.25	\$3,258.75	8.25	\$2,607.00	8.25	\$316	\$2,607.00

63. The amounts billed by and paid to UHAS are described in UHAS Invoice #1671 dated April 15, 2012 that Intervenor will provide to the Court and the Rehabilitator.

⁷ The spreadsheets will show the recorded and billed value of time in addition to the hours and amounts actually sought to be recovered only if some recovery is sought for those services. Accordingly, the recorded and billed time values that are listed in the tables above for purposes of comparison are higher than what will be reflected on the spreadsheets because the values in the tables set forth above reflect all of the services provided to Intervenor for categories of work described herein, even if no recovery is being sought, in order to illustrate the substantial reductions that have already been made to the amounts Intervenor now seeks to recover from the estates of the Companies.

C. Intervenors' Costs And Expenses

64. Further, Intervenors seek to recover \$14,678.04 in costs and expenses incurred for the categories of work in this matter described above.

65. Additional details regarding these costs and expenses are described in spreadsheets Intervenors will provide to the Court and the Rehabilitator.

66. In total Intervenors seek to recover \$608,455.04 in professional fees, and other costs and expenses.

IV. CONCLUSION

WHEREFORE, Intervenors respectfully request that this Court enter an Order pursuant to 40 P.S. § 221.18(a), awarding them \$608,455.04 in professional fees, and other costs and expenses.

Respectfully submitted,

Dated: February 21, 2014

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Information on the Exhibits to the Intervenors' Supplemental Application for Relief to Recover Professional Fees, Costs and Other Expenses Awarded Pursuant to 40 P.S. § 221.18(a) and the Court's Amended Opinion Dated December 28, 2012 may be obtained by call Penn Treaty Network America Insurance Company at 1-800-362-0700, ext. 3635.