

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

JOEL ARIO, INSURANCE COMMISSIONER  
OF THE COMMONWEALTH OF PENNSYLVANIA

DOCKET NO. 5 MD 2009

Plaintiff

v.

PENN TREATY NETWORK AMERICA  
INSURANCE COMPANY

Defendant

**ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2009, upon the consideration of the Petition of American Life & Health Group, et al. to Intervene and the Rehabilitator's response thereto, it is hereby **ORDERED** that petitioners American Life & Health Group, General Agency Insurance Development Services, M.J. Kahn & Associates, Inc., and James Gottfurcht are hereby permitted to intervene in this proceeding. No additions to the Master Service List are required by this Order, as petitioners are represented by counsel and petitioners' counsel is already on the Master Service List.

\_\_\_\_\_  
MARY HANNAH LEAVITT, Judge



3. The averments of paragraph 3 are admitted as to petitioners American Life & Health Group, General Agency Insurance Development Services, M.J. Kahn & Associates, Inc., and James Gottfurcht. The averments of paragraph 3 are denied as to William E. Laufbahn Agency, Inc., Mayfield Financial & Estate Protection Services, Inc., and Martel Agency.

4. The averments of paragraph 4 are conclusions of law to which no answer is required.

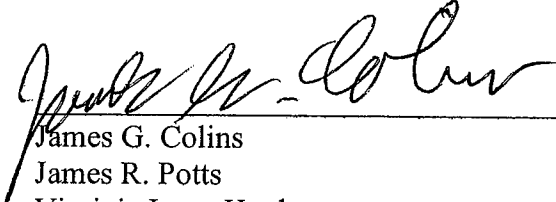
5. The averments of paragraph 5 are conclusions of law to which no answer is required.

6. It is admitted that the petitioners who are parties to agent or agency contracts with Penn Treaty are affected by the Rehabilitator's Application to Suspend Commissions and should be allowed to intervene in this proceeding. It is denied that any of petitioners has property rights in the commissions which they seek.

7. Admitted. By way of further answer it is denied that petitioners' Objection is meritorious. The Rehabilitator has addressed and refuted the arguments set forth in petitioners' Objection in his Supplemental Memorandum of Law filed July 24, 2009.

WHEREFORE, the Statutory Rehabilitator of Penn Treaty Network America Insurance Company does not dispute that petitioners American Life & Health Group, General Agency Insurance Development Services, M.J. Kahn & Associates, Inc., and James Gottfurcht should be permitted to intervene, but respectfully submits that petitioners' Objection should be rejected.

Respectfully submitted,



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James R. Potts  
Virginia Lynn Hogben  
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Counsel for Plaintiff,  
JOEL ARIO, Insurance Commissioner of the  
Commonwealth of Pennsylvania and Rehabilitator  
of PENN TREATY NETWORK  
AMERICA INSURANCE COMPANY

Dated: August 3, 2009

**CERTIFICATE OF SERVICE**

I, Virginia Lynn Hogben, hereby certify that on this date I served a Notice of Filing of the Response of the Rehabilitator to the Petition of Objectors American Life & Health Group et al to Intervene on all parties listed on the Master Service List by electronic mail or facsimile, or by U.S. Mail where no electronic mail address or facsimile number was available and that I served the foregoing Response of the Rehabilitator to the Petition of Objectors American Life & Health Group et al. to Intervene on the following counsel for objectors and intervenors by U.S.

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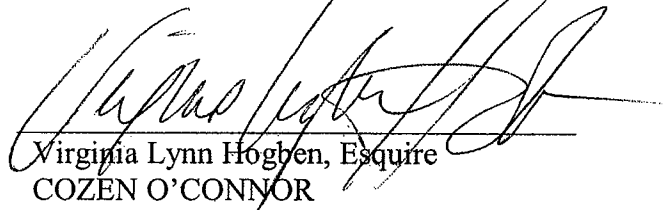
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Dated: August 3, 2009

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