

## **GOVERNOR'S OFFICE OF GENERAL COUNSEL**

May 18, 2012

Michael F. Krimmel, Chief Clerk Commonwealth Court of Pennsylvania 601 Commonwealth Avenue, Suite 2100 P.O. Box 69185 Harrisburg, PA 17120-9185 CONSCIENCE A THE COURT OF PENNES ALTHOUGH

Re: Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania v. Legion Insurance Company No. 183 M.D. 2002

Dear Mr. Krimmel:

Enclosed for filing please find an original and two copies of: 1) a Petition for Leave to File Commutation, Settlement and Release Agreement and Confidential Affidavit Under Seal; 2) Petition for Approval of Commutation, Settlement and Release Agreement between the Liquidator and Berkley Insurance Company; and 3) the Liquidator's Notice of Filing, with regard to the above-referenced matter.

As directed by the Court's Order, we are also enclosing copies of the documents on a computer disk.

Thank you for your assistance in this matter.

Very truly yours,

Amy L. Weber

Insurance Department Counsel

ALW:drh

Enclosures

## IN THE COMMONWEALTH COURT OF PENNSYLVANIA

MICHAEL F. CONSEDINE, INSURANCE COMMISSIONER OF THE COMMONWEALTH

OF PENNSYLVANIA,

Plaintiff,

LEGION INSURANCE COMPANY,

v.

Defendant.

N. 102 N/D 2002

No. 183 M.D. 2002

In Re: Commutation, Settlement and Release Agreement between Legion Insurance Company (In Liquidation) and Berkley Insurance Company, of 475 Steamboat Road, Greenwich, CT 06830 ("Berkley")

## LIQUIDATOR'S NOTICE OF FILING

The Statutory Liquidator of Legion Insurance Company (in Liquidation), by and through his undersigned counsel, gives notice to all interested persons currently on the Master Service List that on May 18, 2012, he filed a Petition for Approval of Commutation, Settlement and Release Agreement between the Liquidator and Berkley Insurance Company, and a Petition for Leave to File Commutation, Settlement and Release Agreement and Confidential Affidavit Under Seal.

A copy of these filings will be available for viewing, downloading and/or printing on the Legion website at: www.legioninsurance.com. The website contains a link to all documents filed by the Liquidator, appearing in Adobe PDF format.

If any person on the Master Service List does not have access to a computer or is otherwise unable to view, download or print the filing at the Legion website, a copy of this filing may be obtained by calling the general Legion hotline at (215) 979-7879, or the undersigned counsel for the Liquidator. If you wish to be removed from the Master Service List, please send your written request to the undersigned.

Respectfully submitted,

Amy L. Weber (I.D. # 45447) Insurance Department Counsel

Pennsylvania Insurance Department

Office of Liquidations, Rehabilitations

and Special Funds

901 North 7<sup>th</sup> Street

Harrisburg, PA 17102

(717) 787-6009

Attorney for Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, in his official capacity as Statutory Liquidator of Legion Insurance Company (In Liquidation)

Dated: 5/18/12

## CERTIFICATE OF SERVICE

I hereby certify that on this day a true and correct copy of the foregoing Notice of Filing was served on all persons listed on the attached Master Service List by U.S. Mail, postage prepaid.

AMÝ L. WEBER (I.D. #45447)

Insurance Department Counsel

Governor's Office of General Counsel Office of Liquidations, Rehabilitations

and Special Funds

Capitol Associates Building

901 North 7th Street

Harrisburg, PA 17102

Phone: (717) 787-6009 Email: aweber@pa.gov

Counsel for Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, in his official capacity as Statutory Liquidator of Legion Insurance Company (In Liquidation)

DATED: 5/18/12

Douglas Y. Christian, Esquire Joshua A. Mooney, Esquire Brooke J. Hertzer, Esquire Ballard Spahr Andrews & Ingersoll, LLP 1735 Market Street, 51<sup>st</sup> Floor Philadelphia, PA 19103

Sidney R. Barrett, Jr., Esquire Office of the Attorney General 40 Capital Square, S.W. Atlanta, GA 30334

James J. Black, Esquire Black & Gerngross 1617 JFK Blvd., Suite 1575 Philadelphia, PA 19106

Helen M. Braverman, Esquire Braverman Kaskey One Liberty Place 1650 Market Street, 21<sup>st</sup> Floor Philadelphia, PA 19103

Stephen J. DeFeo, Esquire Brown & Connery, LLP 360 Haddon Avenue Box 539 Westmont, NJ 08108

Jayson Wolfgang, Esquire Buchanan Ingersoll, PC 213 Market Street, 3<sup>rd</sup> Floor Harrisburg, PA 17101-2020

Randi L. Elias, Esquire Butler Rubin Saltarelli & Boyd, LLP Three First National Plaza, Suite 1800 Chicago, IL 60602

John M. Giunta, Esquire Cipriani & Werner, PC 650 Washington Road, Suite 700 Pittsburgh, PA 15228

William K. Broudy, Esquire Nelson Levin deLuca & Horst, LLC One Battery Plaza Part 32<sup>nd</sup> Floor New York, NY 10004 Joseph James Bellew, Esquire Cozen O'Connor 1900 Market Street Philadelphia, PA 19103

Robert L. Roth, Esquire David W. O'Brien, Esquire Crowell & Moring 1001 Pennsylvania Avenue, N.W., 10<sup>th</sup> Floor Washington, DC 20004

Timothy J. O'Driscoll, Esquire Drinker Biddle & Reath, LLP One Logan Square 18<sup>th</sup> & Cherry Streets Philadelphia, PA 19103

Ryan B. Caboot, Esquire Heidi B. Hamman Shakely, Esquire Eckert Seamans Cherin & Mellott, LLC 213 Market Street, 8<sup>th</sup> Floor Harrisburg, PA 17101

Leslie A. Hayes, Esquire Brad P. Bender, Esquire Eckert Seaman Cherin & Mellott, LLC Two Liberty Place 50 South 16<sup>th</sup> Street, 22<sup>nd</sup> Floor Philadelphia, PA 19102

Gerald E. Arth, Esquire Fox Rothschild O'Brien & Frankel, LLP 2000 Market Street, 10<sup>th</sup> Floor Philadelphia, PA 19103

Jason P. Green, Esquire 4301 Verplanck Place, N.W. Washington, DC 20016

Lynn Welter Sherman, Esquire Hill Ward & Henderson, PA 101 East Kennedy Blvd, Suite 3700 Tampa, FL 33602

David Osso, Esquire Law Offices of Leslie Elliot Krause 11 Park Place, Suite 915 New York, NY 10007 Robert L. Lenahan, Esquire Andrew Walsh, Liquidation General Counsel Legion Insurance Company 1 Logan Square, Suite 1400 Philadelphia, PA 19103

Kandice J. Giurintano, Esquire McNees Wallace & Nurick, LLC 100 Pine Street P.O. Box 1166 Harrisburg, PA 17108-1166

Jay H. Calvert, Jr., Esquire Richard F. McMenamin, Esquire Morgan Lewis & Bockius, LLP 1701 Market Street Philadelphia, PA 19103-2921

Mark Steckbeck , Esquire NCIGF 300 North Meridian Street, Suite 1020 Indianapolis, IN 46204

David S. Barlow, Esquire McKenzie Rothwell Barlow & Korpi 500 Union Street, Suite 700 Seattle, WA 98101

Deborah F. Cohen, Esquire Joann Hyle, Esquire Pepper Hamilton, LLP 3000 Two Logan Square 18<sup>th</sup> & Arch Streets Philadelphia, PA 19103

David Cassetty, Esquire Vermont Department of Banking Insurance 89 Main Street, Drawer 20 Montpelier, VT 05620-3101

Thomas Schmidt, III, Esquire Pepper Hamilton, LLP 200 One Keystone Plaza North Front & Market Street P.O. Box 1181 Harrisburg, PA 17108-1181 Gaetan J. Alfano, Esquire Pietragallo Gordon Alfano Bosick & Raspanti, LLP 1818 Market Street, Suite 3402 Philadelphia, PA 19103

Timothy P. Law, Esquire Reed Smith, LLP 2500 One Liberty Place 1650 Market Street Philadelphia, PA 19103-7301

Franklin D. O'Loughlin, Esquire Brian J. Spano, Esquire Joel A. Glover, Esquire Rothgerber Johnson & Lyons, LLP 1200 17<sup>th</sup> Street, Suite 3000 Denver, CO 80202

Matthew M. Haar, Esquire Saul Ewing, LLP 2 North Second Street, 7<sup>th</sup> Floor Harrisburg, PA 17101

Wilbur L. Kipnes, Esquire Walter B. Ferst, Esquire Schnader Harrison Segal & Lewis, LLP 1600 Market Street, Suite 3600 Philadelphia, PA 19103-7286

Jack Gruenstein, Esquire Vaira & Riley, PC 1600 Market Street, Suite 2650 Philadelphia, PA 19103

Chris Oh Liquidity Solutions, Inc. 1 University Plaza, Suite 312 Hackensack, NJ 07601

Kenneth E. Aaron, Esquire Weir & Partners 1339 Chestnut Street, Suite 500 Philadelphia, PA 19107

Charlotte E. Thomas, Esquire Duane Morris 30 South 17<sup>th</sup> Street Philadelphia, PA 19103-4196

Tamara Hayes O'Brien Whyte Hirschboeck Dudek, S.C. 555 East Wells Street, Suite 1900 Milwaukee, WI 53202-3819

Kenneth A. DeKoven, Esquire Argo Partners 12 West 37<sup>th</sup> Street, 9<sup>th</sup> Floor New York, NY 10018

Joseph D'Amico, Jr., Esquire Fitzpatrick, Lentz & Bubba Stabler Corporate Center 4001 Schoolhouse Lane Center Valley, PA 18034

Traci Williams P.O. Box 741114 Dallas Texas 75374-1114