

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America Insurance : DOCKET NO. 1 PEN 2009
Company in Rehabilitation :
: :
In Re: American Network Insurance Company : DOCKET NO. 1 ANI 2009
in Rehabilitation :
:

MOTION FOR ADMISSION PRO HAC VICE

John P. Lavelle, Jr., Esquire, hereby moves that Michael C. D'Agostino be admitted to appear and practice in this Court as counsel for Aetna Life Insurance Company, Anthem, Inc., CIGNA Corporation, HM Life Insurance Company, Horizon Healthcare Services, Inc. d/b/a Horizon Blue Cross Blue Shield of New Jersey, QCC Insurance Company, United Concordia Life and Health Insurance Company, United Concordia Insurance Company and United Healthcare Insurance Company (collectively, the "Health Insurers"), in the above-captioned matters as counsel pro hac vice pursuant to Pa. R.C.P. No. 1012.1

The undersigned counsel, John P. Lavelle, Jr., Esquire, is a Partner with the law firm of Morgan, Lewis & Bockius LLP, and is admitted to practice in this Court and therefore makes the instant Motion.

In support of this motion, undersigned counsel attaches the Verification for Admission *pro hac vice* of Michael C. D'Agostino, filed herewith as Exhibit "A", which, it is averred, satisfies the requirements of the foregoing Rule of Civil Procedure.

The submission of the appropriate form and payment of the required \$375.00 admission fee to the Pennsylvania IOLTA Board has been accomplished on behalf of Michael C. D'Agostino. See acknowledgements as Exhibit "B".

In support of this motion, undersigned counsel attaches a Verification for Admission *pro hac vice* of John P. Lavelle, Jr., filed herewith as Exhibit "C", which, it is averred, satisfies the requirements of the foregoing Rules of Civil Procedure.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 6, 2016

/s/ John P. Lavelle, Jr.
John P. Lavelle, Jr. (PA Atty. ID No. 54279)
1701 Market Street
Philadelphia, PA 19103
(215) 963-4824
(215) 963-5001 (Fax)
jlavelle@morganlewis.com

EXHIBIT A

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America Insurance Company in Rehabilitation	:	DOCKET NO. 1 PEN 2009
	:	
	:	
In Re: American Network Insurance Company in Rehabilitation	:	DOCKET NO. 1 ANI 2009
	:	

VERIFICATION

I, Michael C. D'Agostino, am a member in good standing of the Bar of the following courts:

<u>Jurisdiction</u>	<u>Year Admitted</u>	<u>Bar No.</u>
Connecticut	1996	413077
New York	2013	5088778

I do not currently have, nor have I ever had, any disciplinary proceedings pending against me in any Federal or State Court, nor have I ever been reprimanded, suspended, or disbarred from the practice of law. I have no pending disciplinary complaints as to which a finding has been made that the complaint should proceed to a hearing.

I have not been denied admission to, been disciplined by, resigned from, surrendered my license to practice before, or withdrawn an application for admission to practice when facing a disciplinary complaint before this court or any other court.

I have not applied for *pro hac vice* admission in any other case in Pennsylvania. I am requesting *pro hac vice* admission in the Commonwealth Court of Pennsylvania in the following consolidated matters: (a) *In re Penn Treaty Network America Insurance Company in Rehabilitation*, Case No. 1 PEN 2009 and (b) *In re American Network Insurance Company in Rehabilitation*, Case No. 1 ANI 2009 (collectively, the "Cases").

I shall comply with and be bound by the applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

I shall submit to the jurisdiction of the Pennsylvania Courts and the Pennsylvania Disciplinary Board with respect to acts or omissions occurring during the appearance in the Cases.

I consent to the appointment of John P. Lavelle, Jr. and Morgan, Lewis & Bockius LLP as the agent upon whom service of process shall be made for all actions, including disciplinary actions that may arise out of the practice of law in the Cases.

[Remainder of page intentionally left blank. Next page is signature page.]

Dated: Hartford, Connecticut
January 6, 2016

A handwritten signature in blue ink, appearing to read "Michael D'Agostino", with a long horizontal flourish extending to the right.

Michael C. D'Agostino

EXHIBIT B



SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD

January 06, 2016

MICHAEL C. D'AGOSTINO, Esq.
MORGAN, LEWIS AND BOCKIUS LLP
ONE STATE STREET
HARTFORD, CT 06103

SENT TO JUDITH HANRATTY VIA Email: JHANRATTY@MORGANLEWIS.COM

Dear Attorney D'AGOSTINO:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as In Re: Penn Treaty Network America Insurance Company in Rehabilitation, no. 1 PENN 2009, filed in the Commonwealth Court of Pennsylvania.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie S. Libhart".

Stephanie S. Libhart
Executive Director

cc: JOHN P. LAVELLE JR., Esq.
jlavelle@morganlewis.com

Pennsylvania Judicial Center
601 Commonwealth Ave., Ste. 2400
PO Box 62445, Harrisburg, PA 17106-2445
717/238-2001 · 888/PA-IOLTA (724-6582) · 717/238-2003 FAX
paiolta@pacourts.us · www.paiolta.org

Administering Pennsylvania's Interest On Lawyers Trust Account (IOLTA) Program



SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD

January 06, 2016

MICHAEL C. D'AGOSTINO, Esq.
MORGAN, LEWIS AND BOCKIUS LLP
ONE STATE STREET
HARTFORD, CT 06103

SENT TO JUDITH HANRATTY VIA Email: JHANRATTY@MORGANLEWIS.COM

Dear Attorney D'AGOSTINO:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as In Re: American Network Insurance Company in Rehabilitation, no. 1 ANI 2009, filed in the Commonwealth Court of Pennsylvania.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie S. Libhart".

Stephanie S. Libhart
Executive Director

cc: JOHN P. LAVELLE JR., Esq.
jlavelle@morganlewis.com

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EXHIBIT C

IN THE COMMONWEALTH COURT OF PENNSYLVANIA


In Re: Penn Treaty Network America Insurance : DOCKET NO. 1 PEN 2009
Company in Rehabilitation :
: :
In Re: American Network Insurance Company : DOCKET NO. 1 ANI 2009
in Rehabilitation :

VERIFICATION

I, John P. Lavelle, Jr., Esquire certify and affirm that after reasonable investigation, I reasonably believe that Michael C. D'Agostino, Esquire is a reputable and competent attorney, and I am in a position to recommend this candidate for *pro hac vice* admission for practice in the Commonwealth Court of Pennsylvania.

I am currently sponsoring an attorney in the Commonwealth Court of Pennsylvania as a candidate for admission *pro hac vice*.

If applicable at the conclusion of this matter, I affirm that the proceeds from any settlement related to this cause of action in which Michael C. D'Agostino, Esquire is granted admission *pro hac vice* shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including IOLTA provisions thereof.



John P. Lavelle, Jr.
PA Atty. No. 54279

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America Insurance : DOCKET NO. 1 PEN 2009
Company in Rehabilitation :
: :
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In Re: American Network Insurance Company : DOCKET NO. 1 ANI 2009
in Rehabilitation :
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**ORDER GRANTING MOTION FOR ADMISSION
PRO HAC VICE OF MICHAEL C. D'AGOSTINO, ESQUIRE**

AND NOW, this ____ day of January, 2016, upon consideration of the Motion for Admission *Pro Hac Vice* for Michael C. D'Agostino, Esquire, it is hereby ORDERED that the Motion is GRANTED for the limited purpose of his representation of Aetna Life Insurance Company, Anthem, Inc., CIGNA Corporation, HM Life Insurance Company, Horizon Healthcare Services, Inc. d/b/a Horizon Blue Cross Blue Shield of New Jersey, QCC Insurance Company, United Concordia Life and Health Insurance Company, United Concordia Insurance Company and United Healthcare Insurance Company (collectively, the "Health Insurers"), in the above-captioned matters.

MARY HANNAH LEAVITT, Judge