

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: American Network Insurance : No. 1 ANI 2009
Company in Rehabilitation :

In Re: Penn Treaty Network America : No. 1 PEN 2009
Insurance Company in Rehabilitation:

**APPLICATION FOR ORDER SETTING THIRTY-DAY RESPONSE PERIOD TO
APPLICATION OF NATIONAL ORGANIZATION OF LIFE AND HEALTH
INSURANCE GUARANTY ASSOCIATIONS REQUESTING LEAVE TO INTERVENE
FOR A LIMITED PURPOSE**

Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, in his capacity as statutory Rehabilitator (“Rehabilitator”) of Penn Treaty Network America Insurance Company (“Penn Treaty”) and American Network Insurance Company (“American Network”), hereby applies to this Court an Order setting his time to respond to the Application Requesting Leave to Intervene for a Limited Purpose filed by National Organization of Life and Health Insurance Guaranty Associations (“NOLHGA”) at thirty (30) days from the date of service of that application and, in support thereof, avers the following:

1. On May 28, 2013, NOLHGA submitted its Application Requesting Leave to Intervene for a Limited Purpose (the “Intervention Application”) pursuant to Pennsylvania Rule of Appellate Procedure Rule 3775 for the “limited purpose of commenting on the rehabilitation plans for Penn Treaty Network America Insurance Company (“PTNA”) and American Network Insurance Company (“ANIC”).”

2. Rehabilitator believes and avers that Pa. R.A.P. 3776 provides him with thirty (30) days from the date of service of the Intervention Application to submit his response.

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3. Although he disagrees with this reading, Rehabilitator is aware that Pa. R.A.P. 3775 might be read to require a response to the Intervention Application within fourteen (14) days of service.

4. For purposes of this Application, it is irrelevant as to whether or not this Court concludes that the date for response to the Intervention Application under the Pennsylvania Rules of Appellate Procedure is fourteen (14) or thirty (30) days. This Court can simply exercise its administrative power to manage its cases and order that Rehabilitator must respond within thirty (30) days following service of the Intervention Application.

5. NOLHGA has consented to the thirty-day response period requested herein.

6. Should this Court deny the Rehabilitator's request, Rehabilitator reserves the right to argue that any response made within thirty (30) days of service of the Intervention Application was timely pursuant to R.A.P. 3776.

WHEREFORE, Rehabilitator, Michael F. Consedine, respectfully requests that this Court enter an Order setting his deadline to respond to the Intervention Application to thirty (30) days from the date of service of the Intervention Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James R. Potts", is written over a horizontal line.

James R. Potts
Attorney I.D. No. 73704
COZEN O'CONNOR
1900 Market Street
Philadelphia, PA 19103
(215) 665-2000

Counsel for Applicant,
MICHAEL F. CONSEDINE, Insurance
Commissioner of the Commonwealth of
Pennsylvania as Rehabilitator of PENN TREATY
NETWORK AMERICA INSURANCE
COMPANY and AMERICAN NETWORK
INSURANCE COMPANY

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VERIFICATION

I, James R. Potts, hereby verify that the facts set forth in the foregoing application are true and correct to the best of my knowledge, information, and belief. This statement is subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.


James R. Potts

Dated: June 10, 2013

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CERTIFICATE OF SERVICE

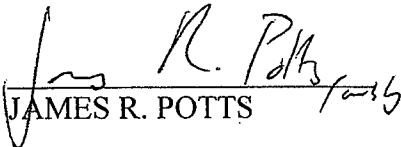
I, James R. Potts, hereby certify that a Notice of Filing of the foregoing Application is being served on all parties listed on the Master Service List by electronic mail or facsimile, or by First Class Mail where no electronic mail address or facsimile number was available, and that an electronic copy of the foregoing Application is being posted on the Penn Treaty website at www.penn treaty.com. I further certify that on June 10, 2013, I served a true and correct copy of the foregoing Application upon the following person via electronic mail and First Class Mail:

Douglas Y. Christian, Esquire
Ballard Spahr, LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
christian@ballardspahr.com

*Counsel for Penn Treaty American Corporation
and Eugene J. Woznicki*

Mark D. Bradshaw
Stevens & Lee, P.C.
17 North Second Street, 16th Floor
Harrisburg, PA 17101
mdb@stevenslee.com

*Counsel for National Organization of Life and
Health Insurance Guaranty Associations*


JAMES R. POTTS

