

Stephen W. Schwab (Pa. Bar ID 315169)
Jayne A. Risk (Pa. Bar ID 80237)
Carl H. Poedtke III (Pa. Bar ID 317282)

*Attorneys for Teresa D. Miller,
Insurance Commissioner of
Pennsylvania*

DLA PIPER LLP (US)
One Liberty Place
1650 Market Street, Suite 4900
Philadelphia, PA 19103-7300
Tel: 215.656.3300

James Potts (Pa. Bar ID 73704)
COZEN O’CONNOR
One Liberty Place
1650 Market Street, Suite 2800
Philadelphia, PA 19103
Tel: 215.665.2000

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
	:	

**APPLICATION FOR RELIEF TO FILE A
SUR-REPLY IN FURTHER SUPPORT
OF THE JOINT APPLICATION FOR SETTLEMENT APPROVAL**

Teresa D. Miller, Insurance Commissioner of Pennsylvania, in her capacity as Statutory Rehabilitator of Penn Treaty Network America Insurance Company and American Network Insurance Company, hereby requests leave of Court to file the attached brief, along with the exhibits thereto, as a Verified Sur-reply in Further Support of the Joint Application for Settlement Approval. This sur-reply

memorandum is necessary to address arguments that the Health Insurers have raised in their Reply Memorandum in support of their objection to the Settlement Agreement.

WHEREFORE, the Commissioner respectfully requests that the Court grant this Application and docket the attached brief as a Verified Sur-reply in Further Support of the Joint Application for Settlement Approval.

Dated: August 26, 2016

Respectfully submitted,

/s/ Stephen W. Schwab

Stephen W. Schwab

Jayne A. Risk

Carl H. Poedtke III

DLA PIPER LLP (US)

One Liberty Place

1650 Market Street, Suite 4900

Philadelphia, PA 19103-7300

James Potts (Pa. Bar ID 73704)

COZEN O'CONNOR

One Liberty Place

1650 Market Street, Suite 2800

Philadelphia, PA 19103

*Attorneys for Teresa Miller, Insurance
Commissioner of Pennsylvania*

CERTIFICATE OF SERVICE

I certify that, on August 26, 2016, I caused the foregoing Application for Relief to File Surreply, along with the exhibits thereto, to be served on the counsel of record listed below. I further certify that the foregoing was posted to the Companies' receivership website and served in accordance with the Court's order governing service on parties appearing on the Master Service List.

Counsel for the Commissioner

Stephen W. Schwab
Jayne A. Risk
Carl H. Poedtke III
Nathan Heller
Justin Kerner
DLA PIPER LLP (US)
One Liberty Place
1650 Market Street, Suite 4900
Philadelphia, PA 19103-7300

James R. Potts
COZEN O'CONNOR
1650 Market Street, Suite 2800
Philadelphia, PA 19103

Counsel for NOLHGA

Charles T. Richardson
FAEGRE BAKER DANIELS
1050 K Street, N.W., Suite 400
Washington, DC 20001-4448

Caryn M. Glawe
Jane D. Wilson
FAEGRE BAKER DANIELS
300 N. Meridian Street, Suite 2700
Indianapolis, IN 46204

Mark D. Bradshaw
STEVENS & LEE
17 North Second Street, 16th Floor
Harrisburg, PA 17101

Deborah Ann Ellingboe
FAEGRE BAKER DANIELS
90 S. 7th Street
Minneapolis, MN 55402

Counsel for Certain Health Insurers

Harold S. Horwich
Michael C. D'Agostino
Benjamin J. Cordiano
MORGAN, LEWIS & BOCKIUS LLP
One State Street
Hartford, CT 06103-3178

John P. Lavelle, Jr.
MORGAN, LEWIS & BOCKIUS LLP
1701 Market Street
Philadelphia, PA 19103

Counsel for Certain Agents

Paul M. Hummer
James S. Gkonos
SAUL EWING LLP
Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186

Counsel for PricewaterhouseCoopers

James J. Black, III
Jeffrey B. Miceli
Mark Drasnin
Ivan I. Mihailov
BLACK & GERNGROSS, P.C.
1617 John F. Kennedy Blvd.
Suite 1575
Philadelphia, PA 19103

Counsel for PTAC and Woznicki

Douglas Y. Christian
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103-7300

**Counsel for the Policyholders'
Committee**

Thomas A. Leonard
Richard P. Limburg
OBERMAYER REBMANN
MAXWELL & HIPPEL LLP
One Penn Center, 19th Floor
1617 John F. Kennedy Blvd.
Philadelphia, PA 19103-1895

Counsel for Broadbill Partners

Stephen H. Warren
Gary Svirsky
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071

Andrew Parlen
O'MELVENY & MYERS LLP
Times Square Tower
7 Times Square
New York, NY 10036

Lauren N. Moore
O'MELVENY & MYERS LLP
1625 Eye Street, N.W.
Washington, D.C. 20006

John B. Consevage
DILWORTH PAXSON LLP
112 Market Street, Suite 800
Harrisburg, PA 17101

James Rodgers
DILWORTH PAXSON LLP
1500 Market Street, Suite 3500 E
Philadelphia, PA 19102

/s/ Stephen W. Schwab

Stephen W. Schwab
DLA PIPER LLP (US)
One Liberty Place
1650 Market Street, Suite 4900
Philadelphia, PA 19103-7300
Telephone: 215.656.3300
Facsimile: 215.656.3301