

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Joel Ario, Insurance Commissioner of :
the Commonwealth of Pennsylvania, :
Plaintiff :
v. : No. 5 M.D. 2009
Penn Treaty Network America :
Insurance Company, :
Defendant :

Re: Petition to Suspend Agents' Commissions

ORDER

AND NOW, this 5th day of August, 2009, upon consideration of the Application of the Statutory Rehabilitator of Penn Treaty Network America Insurance Company (In Rehabilitation) to Suspend Agents' Commissions, the objections filed in response to the Application, and the intervention requested by, and granted to, agents affected by the Application, it is hereby ORDERED as follows:

(1) A Prehearing Conference is scheduled for Thursday, September 10, 2009, at 10:00 a.m. in Courtroom No. 3001, 3rd Floor, Pennsylvania Judicial Center, 601 Commonwealth Avenue, Harrisburg, Pennsylvania, at which time the factual and legal issues presented by the Application shall be identified and the hearing date established.

(2) The order of July 2, 2009, is hereby amended to extend the deadline from August 14, 2009, to September 4, 2009, for any intervenor or objector to file a memorandum of law in reply to the Statutory Rehabilitator's memorandum of law filed on July 24, 2009.

(3) On or before September 4, 2009, the parties shall file with the Court a prehearing statement that identifies the following items:

- a. The legal issues presented by the Rehabilitator's Application;
- b. The facts that need to be established by the Rehabilitator in order for the Application to be granted;
- c. A list of witnesses, including expert witnesses, to be presented by the Rehabilitator or by the Intervenors;
- d. Additional items deemed relevant by the Rehabilitator, the Intervenors or the Objectors.

(4) The Rehabilitator is directed to serve a copy of this Order upon the Objectors in accordance with paragraph 10 of the Court's Order of June 9, 2009, relating to procedures for filing and service.



MARY HANNAH LEAVITT, Judge