

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Penn Treaty Network America
Insurance Company in Rehabilitation

No. 1 PEN 2009

AND

In Re: American Network Insurance
Company in Rehabilitation

No. 1 ANI 2009

**APPLICATION FOR RELIEF TO MODIFY
THE PLAN TO ELIMINATE THE PAYMENT OF AGENT
COMMISSIONS ON COMPANY A POLICIES**

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 UnitedHealthcare Insurance Company (collectively, the “Health Insurers”) through their undersigned counsel hereby request that the Court enter an order in substantially the form submitted herewith, which provides as follows:

- (1) The Rehabilitator’s proposed Second Amended Plan of Rehabilitation for Penn Treaty America Network Insurance Company and American Network Insurance Company cannot be approved unless it is modified to eliminate the payment of agent commissions on Company A policies; and

- (2) All claims for agent commissions, whether on Company A or Company B policies, shall be general creditor claims against Company B under 40 P.S. § 221.44(e), unless an agent demonstrates that such agent's agreement creates an interest in property of the estate.


The reasons supporting the requested relief are set forth in the attached Brief in Support of this Application for Relief.

Respectfully submitted,

Dated: April 2, 2015

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ORDER

AND NOW, this ____ day of _____, 2015,

upon consideration of the Health Insurers' Application for Relief to Modify the Plan to Eliminate the Payment of Agent Commissions on Company A Policies, it is hereby ORDERED that the Application for Relief is GRANTED. It is further ORDERED that:

- (1) The Rehabilitator's proposed Second Amended Plan of Rehabilitation for Penn Treaty America Network Insurance Company and American Network Insurance Company cannot be approved unless it is modified to eliminate the payment of agent commissions on Company A policies; and
- (2) All claims for agent commissions, whether on Company A or Company B policies, shall be general creditor claims against Company B under 40 P.S. § 221.44(e), unless an agent demonstrates that such agent's agreement creates an interest in property of the estate.

J.