

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

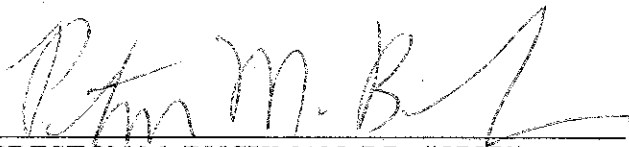
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|---|---|---------------------------------------|
| Hanson Aggregates Pennsylvania LLC, | : | |
| Objector, | : | |
| | : | Objection to Notices of Determination |
| v. | : | |
| | : | Re: Proofs of Claim Nos. 791,792,793 |
| First Seabord Surety, Inc. (In Liquidation) | : | |
| | : | No. 6 FSS 2014 |
| | : | |
| (Ancillary Matter to In Re: | : | |
| First Seabord Surety, Inc., No. 1 FSS 2012) | : | |

**NOTICE OF AGREEMENT TO EXTEND
LIQUIDATOR'S RESPONSE TIME**

The parties in the above-captioned matter hereby submit this Agreement pursuant to the rules of the Estimated Claim Value Process that were approved by this Court by Order dated May 16, 2014, providing that the deadline for Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania in his Official Capacity as Statutory Liquidator of First Seabord Surety, Inc., to respond to the Objections to Notices of Determination in the above-captioned matter is extended to a date to be agreed upon by counsel for the respective parties following the issuance of a decision from the Delaware County Court of Common Pleas in the underlying action that gives rise to the claimant's proofs of claim and the Liquidator's notices of determination in this matter. The agreement of counsel for the respective parties is memorialized in the email exchange that is attached to this Notice as Exhibit A. By way of further information, since the email exchange reflected in

Exhibit "A", counsel for the claimant has advised the undersigned that the aforementioned action in the Delaware County Court of Common Pleas has been scheduled for trial beginning September 24, 2014 (See Exhibit "B").

Respectfully submitted:

By: 
PRESTON M. BUCKMAN (I.D. #57570)

Insurance Department Counsel
Governor's Office of General Counsel
Pennsylvania Insurance Department
Capitol Associates Building
901 North 7th Street
Harrisburg, PA 17102
(717) 787-6009

Attorney for Michael F. Consedine, Insurance
Commissioner of the Commonwealth of
Pennsylvania, in his official capacity as Statutory
Liquidator of FSSI

Dated: 8/26/14

EXHIBIT A

Buckman, Preston

From: Daniel Hudock <DHudock@msl-attorneys.com>
Sent: Friday, August 22, 2014 4:18 PM
To: Buckman, Preston
Subject: Re: Hanson Aggregates Pennsylvania LLC, Objector v. First Sealord Surety, Inc., In Liquidation No. 6 FSS 2014 Ancillary to In Re: First Sealord Surety, Inc., In Liquidation No. 1 FSS 2012 Objection to Notice of Determination on Proof of Claim Nos. 791,...

Thank you, Mr. Buckman. I agree with the facts as stated in your email, the extension of time, and the plan for moving forward.

Daniel C. Hudock

Sent from my iPhone

On Aug 22, 2014, at 4:10 PM, "Buckman, Preston" <pbuckman@pa.gov> wrote:

Mr. Hudock—This email follows our conversation of earlier today in which we discussed your 7/29/14 filing in the referenced matter. You advised that you anticipate that the underlying action in the Delaware County Court of Common Pleas will be scheduled for an approximately two day bench trial in the near future, with a decision to follow soon thereafter. In light thereof, we agreed to extend the Liquidator's response date to your 7/29/14 filing, which is currently 8/28/14, to a date to be agreed upon between us after the trial in Delaware County concludes and a decision is rendered, as said decision will inevitably inform the Liquidator's evaluation of your client's claim and, further, may allow said claim to be resolved without the need for any further filings and related proceedings. I also informed you that with respect to your 7/29/14 filing, should it become necessary to formally respond to said filing, the Liquidator would remain neutral as to your request for relief regarding the timeliness of the submission of your client's estimated value claim. If the foregoing accurately summarizes our agreement, please indicate so by return email. I will then, as discussed, make a succinct filing with the Commonwealth Court next week to inform the Court of our agreement. Should you having any questions, please contact me.

Preston M. Buckman | Department Counsel for Insurance
Governor's Office of General Counsel
901 N. 7th Street | Harrisburg, PA 17102
Phone: 717-787-6009 | Fax: 717-772-4543
www.insurance.pa.gov | www.chipcoverspakids.com

PRIVILEGED AND CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION
ATTORNEY WORK PRODUCT

The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any use of this information other than by the intended recipient is prohibited. If you receive this message in error, please send a reply e-mail to the sender and delete the material from any and all computers. Unintended transmissions shall not constitute waiver of the attorney-client or any other privilege

EXHIBIT B

Buckman, Preston

From: Daniel Hudock <DHudock@msl-attorneys.com>
Sent: Monday, August 25, 2014 10:55 AM
To: Buckman, Preston
Subject: FW: Hanson Aggregates Pennsylvania LLC, Objector v. First Seabord Surety, Inc., In Liquidation No. 6 FSS 2014 Ancillary to In Re: First Seabord Surety, Inc., In Liquidation No. 1 FSS 2012 Objection to Notice of Determination on Proof of Claim Nos. 791,...
Attachments: Court letter 8.25.14.pdf

Mr. Buckman:

I am pleased to report that I received the attached letter today in the Hanson v. Sucher case setting a date certain of 9/24/14 for the trial in Delaware County, PA.

Dan Hudock

From: Daniel Hudock
Sent: Friday, August 22, 2014 4:18 PM
To: Buckman, Preston
Subject: Re: Hanson Aggregates Pennsylvania LLC, Objector v. First Seabord Surety, Inc., In Liquidation No. 6 FSS 2014 Ancillary to In Re: First Seabord Surety, Inc., In Liquidation No. 1 FSS 2012 Objection to Notice of Determination on Proof of Claim Nos. 791,...

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Preston M. Buckman | Department Counsel for Insurance
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Phone: 717-787-6009 | Fax: 717-772-4543

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COURT OF COMMON PLEAS



DELAWARE COUNTY

THIRTY-SECOND JUDICIAL DISTRICT

COURTHOUSE

MEDIA, DELAWARE COUNTY, PENNSYLVANIA

19063

CHAD F. KENNEY
PRESIDENT JUDGE

JUDGES

PATRICIA H. JENKINS
JAMES F. PROUD
GEORGE A. PAGANO
ANN A. OSBORNE
KEVIN F. KELLY
KATHRYNANN W. DURHAM
BARRY C. DOZOR
MICHAEL F.X. COLL
JAMES P. BRADLEY
JAMES F. NILON, JR.
MARY ALICE BRENNAN
GREGORY M. MALLON
LINDA A. CARTISANO
SPIROS E. ANGELOS
G. MICHAEL GREEN
NATHANIEL C. NICHOLS
CHRISTINE FIZZANO CANNON
JOHN P. CAPUZZI, SR.

SENIOR JUDGES
JOSEPH P. CRONIN, JR.
FRANK T. HAZEL
CHARLES B. BURR, II

August 25, 2014

David C. Hudock, Esquire
1004 Ligonier Street
PO. Box 758
Latrobe, PA 15650

Anthony S. Pinnie, Esquire
334 West Front Street
Media, PA 19063

RE: Hanson Aggregates Penna. LLC
v. Joseph E. Sucher & Sons, John
Sucher and First Sealord Surety, Inc.
No: 11-7964

Dear Counsel:

Please be advised that the above matter is scheduled for a **date certain** the attorneys are **attached** for the non-jury trial beginning Wednesday, September 24, 2014 at 9 a.m. in Courtroom No. 11, Delaware County Courthouse, Media, Pennsylvania.

Any request for a continuance will not be granted.

Very truly yours,

A handwritten signature in black ink, appearing to read "G. Michael Green".

G. Michael Green, J.

GMG/jaz

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 1 Pa. Code Chapter 33 in the following manner:

Service by first-class mail, addressed as follows:

Douglas Y. Christian, Esquire
christiand@ballardspahr.com
Benjamin M. Schmidt, Esquire
schmidt@ballardspahr.com
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
(215) 665-8500
(215) 864-8999 (fax)

Jeffrey M. Lesser, Esquire
lesser@jeffreymlesser.com
39040 West Seven Mile Road
Livonia, Michigan 48152
(734) 464-3603
(734) 464-3605 (fax)

David L. Swimmer, Esquire
dls@dlspalaw.com
7990 SW 117th Avenue, Suite 100
Miami, FL 33183
(305) 274-1222
(305) 595-0470 (fax)

Christopher J. Azzara, Esquire
cazzara@smgglaw.com
Strassburger McKenna Gutnick & Gefsky
Four Gateway Center, Suite 2200
444 Liberty Avenue
Pittsburgh, PA 15222
(412) 281-5423
(412) 281-8264 (fax)

Daniel C. Hudock, Esquire
McDonald, Snyder & Lightcap, P.C.
1004 Ligonier Street, 4th Floor
P.O. Box 758
Latrobe, PA 15650
(724) 539-3511
(724) 539-3527

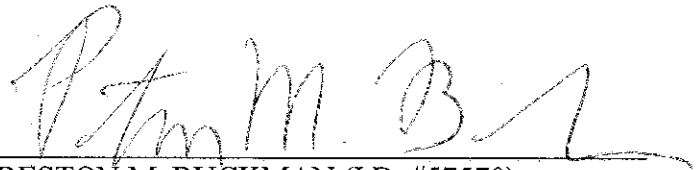
Kenneth A. DeKoven, Esquire
k.dekoven@argopartners.net
Argo Partners
12 West 37th Street, 9th Floor
New York, New York 10018
(212) 643-5456
(212) 643-6401 (fax)

Chris Oh
coh@liquiditysolutions.com
Liquidity Solutions, Inc.
1 University Plaza, Suite 312
Hackensack, NJ 07601
(201) 968-0001 ext. 142
(201) 968-0010 (fax)

Damon Diederich, Esquire
diederichd@insurance.ca.gov
Corporate and Regulatory Affairs
California Department of Insurance
45 Fremont Street, 24th Floor
San Francisco, CA 94105
(415) 538-4406
(415) 904-5729 (fax)

Judith Anderson, Sr. Asst. Attorney General
Judith.k.anderson@doj.state.or.us
Oregon Department of Justice
General Counsel, Business Activities
1162 Court Street, N.E.
Salem, OR 97310
(503) 947-4540
(503) 378-3784 (fax)

Robert E. Kelly, Jr., Esquire
rkelly@khgllp.com
Kelly, Parker & Cohen, LLP
5425 Jonestown Road, Suite 103
Harrisburg, PA 17112
(717) 920-2220
(717) 920-2370 (fax)



PRESTON M. BUCKMAN (I.D. #57570)
Insurance Department Counsel
Office of Liquidations, Rehabilitations
& Special Funds
Governor's Office of General Counsel
Capital Associates Building
901 North 7th Street
Harrisburg, PA 17102
(717) 787-6009

Counsel for the Statutory Liquidator of First
Sealord Surety, Inc. (In Liquidation)

DATED: 8/26/14



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

August 26, 2014

Michael F. Krimmel, Chief Clerk
Commonwealth Court of Pennsylvania
601 Commonwealth Avenue, Suite 2100
P.O. Box 69185
Harrisburg, PA 17120-9185

Re: *Hanson Aggregates Pennsylvania LLC v. First Seabord Surety, Inc. (In Liquidation) Objection to Notices of Determination Re POC Nos. 791, 792, 793 No. 6 FSS 2014*
Ancillary Matter to In Re: First Seabord Surety, Inc., No. 1 FSS 2012

Dear Mr. Krimmel:

Attached please find a Notice of Agreement to Extend Liquidator's Response Time with regard to the above-referenced liquidation.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "Preston M. Buckman".

Preston M. Buckman
Insurance Department Counsel

PMB:drh

Enclosures