

STRADLEY RONON STEVENS & YOUNG LLP
By: Steven B. Davis, Esq. (73204)
Jeffrey D. Grossman, Esq. (78537)
Caitlin E. Oberst, Esq. (306668)
2600 One Commerce Square
Philadelphia, PA 19103
(215) 564-8000

Attorneys for Michael F. Consedine,
Insurance Commissioner of the
Commonwealth of Pennsylvania in his
Official Capacity as Statutory
Liquidator of First Sealord Surety, Inc.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: First Sealord Surety, Inc. : No. 1 FSS 2012
In Liquidation :

**REPLY OF MICHAEL F. CONSEDINE, INSURANCE COMMISSIONER
OF THE COMMONWEALTH OF PENNSYLVANIA, IN HIS OFFICIAL
CAPACITY AS STATUTORY LIQUIDATOR OF FIRST SEALORD SURETY,
INC., TO RESPONSE OF TENCO EXCAVATING, INC. TO APPLICATION TO
APPROVE THE ESTABLISHMENT OF AN ESTIMATED CLAIM VALUE PROCESS**

Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania in his official capacity as statutory liquidator of First Sealord Surety, Inc. (the “Liquidator”) hereby submits this reply to the response of Limited Intervenor Tenco Excavating, Inc. (“Tenco”) to the Liquidator’s Application to Approve the Establishment of an Estimated Claim Value Process (“ECVP”), filed on April 15, 2014 (the “Application”).

The Liquidator’s Application incorporates by reference this Court’s December 5, 2013 Order and February 28, 2014 Notice of Proposed ECVP. Application, Exhibit “A.” The notice required Tenco and any other claimant to object to the proposed establishment of the ECVP within thirty days of the notice, “or they shall be forever barred.” Tenco’s response and its implicit objection to participating in the ECVP may be untimely. Furthermore, Tenco’s assertion that the Liquidator has not properly responded to all of Tenco’s inquiries regarding the ECVP is incorrect. The Liquidator has responded to Tenco’s inquiries, as the facts included in Tenco’s Response plainly demonstrate. Notwithstanding these deficiencies, the Liquidator consents to the entry of Tenco’s proposed order. Indeed, the Liquidator has continually honored

the agreement referenced in the proposed order since its inception and this Court's entry of the proposed order will serve to maintain that agreement.

Respectfully,

Dated: May 14, 2014

s/Caitlin E. Oberst

STRADLEY RONON STEVENS &
YOUNG, LLP
Steven B. Davis, Esquire
Jeffrey D. Grossman, Esquire
Caitlin E. Oberst, Esquire
2600 One Commerce Square
Philadelphia, PA 19103
(215) 564-8000

*Attorneys for Michael F. Consedine,
Insurance Commissioner of the
Commonwealth of Pennsylvania in his Official
Capacity as Statutory Liquidator of First
Sealord Surety, Inc.*

CERTIFICATE OF SERVICE

I, Caitlin E. Oberst, hereby certify that I have caused to be served on May 14, 2014, via first-class mail, postage pre-paid, a copy of the Reply of Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania in his official capacity as statutory liquidator of First Sealord Surety, Inc. to the Response of Limited Intervenor Tenco Excavating, Inc. to the Liquidator's Application to Approve the Establishment of an Estimated Claim Value Process, on the following:

Douglas Y. Christian
Benjamin M. Schmidt
Ballard Spahr LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103

*Attorneys for Limited Intervenor,
Tenco Excavating, Inc.*

s/Caitlin E. Oberst _____
Caitlin E. Oberst, Esq.