

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

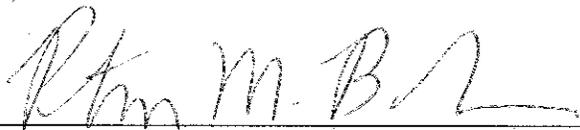
W.G. Yates & Sons Construction Company,	:	
Objector,	:	
	:	Objection to Notice of Determination
v.	:	
	:	Re: Proofs of Claim No. 801
First Sealord Surety, Inc. (In Liquidation)	:	
	:	No. 9 FSS 2014
	:	
(Ancillary Matter to In Re:	:	
First Sealord Surety, Inc., No. 1 FSS 2012)	:	

**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 Sealord Surety, Inc., to respond to the Objection to Notice of Determination in the above-captioned matter is

extended 45 days, from September 12, 2014, to October 27, 2014. The agreement of counsel for the respective parties is memorialized in the email exchange that is attached to this Notice as Exhibit A.

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: 9/9/14

EXHIBIT A

Buckman, Preston

Subject: FW: 03019-126356 W.G. Yates & Sons - Balcony Remediation: First Sealord Surety, Inc. (In Liquidation) - W. G. Yates & sons

From: Wes Reeder [<mailto:HWR@esclaw.com>]
Sent: Tuesday, September 02, 2014 11:47 AM
To: Haag, Dennis
Subject: RE: 03019-126356 W.G. Yates & Sons - Balcony Remediation: First Sealord Surety, Inc. (In Liquidation) - W. G. Yates & sons

Thanks for the explanation – I agree to the requested extension.

Wes

H. Wesley Reeder
Board Certified Construction Attorney
Emmanuel Sheppard & Condon
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From: Haag, Dennis [<mailto:c-dhaag@pa.gov>]
Sent: Tuesday, September 02, 2014 10:26 AM
To: Wes Reeder
Subject: RE: 03019-126356 W.G. Yates & Sons - Balcony Remediation: First Sealord Surety, Inc. (In Liquidation) - W. G. Yates & sons

Wes,

As I mentioned in our call, I am leaving for vacation this Friday and not returning until Tuesday, Sept. 16. I will not get back to your file until I return from vacation. I want to be able to fully concentrate on all the issues affecting this claim and don't want to side step anything due to time constrains. It is for this reason we are asking for 45 days.

I would hope this meets with your approval.

Dennis Haag | Chief
Insurance Department | Bureau of Liquidations & Rehabilitations
901 N. 7th Street | Harrisburg PA 17102

From: Wes Reeder [<mailto:HWR@esclaw.com>]
Sent: Tuesday, September 02, 2014 11:19 AM
To: Haag, Dennis
Subject: RE: 03019-126356 W.G. Yates & Sons - Balcony Remediation: First Sealord Surety, Inc. (In Liquidation) - W. G. Yates & sons

Dennis:

As I mentioned I don't have an issue with agreeing to an extension for you to file your reply but can you tell me why you need 45 days – which effectively gives you 60 days until your response is due – especially if you are sticking to your stated position of “not actively opposing” the request? If it is workload or personal I understand so just let me know but I was thinking 30 days should be sufficient.

Wes

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From: Haag, Dennis [<mailto:c-dhaag@pa.gov>]
Sent: Tuesday, September 02, 2014 9:59 AM
To: Wes Reeder
Subject: First Sealord Surety, Inc. (In Liquidation) - W. G. Yates & sons

Mr. Reeder,

Thank you for the opportunity to speak with you this morning regarding the objection of W. G. Yates & Sons Construction Company to our Notice of determination. As I mentioned, we have thirty days to respond to that objection and the deadline is September 15. We are requesting your agreement to allow us an additional 45 days to respond.

We would ask that you respond to this email agreeing to the above.

Thank you.

Dennis Haag | Chief
Insurance Department | Bureau of Liquidations & Rehabilitations
901 N. 7th Street | Harrisburg PA 17102

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:

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

Dated: 9/9/14



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

September 9, 2014

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

Re: *W.G. Yates & Sons Construction Company v. First Sealord Surety, Inc.*
(In Liquidation)
Objection to Notice of Determination Re POC No. 801
No. 9 FSS 2014
Ancillary Matter to In Re: First Sealord 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