IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: Regis Insurance Company

In Liquidation : No. 1 REG 2015

APPLICATION FOR APPROVAL OF REPORT AND RECOMMENDATIONS ON REGIS INSURANCE COMPANY CLAIMS UNDISPUTED AND RESOLVED FROM OCTOBER 31, 2015 TO DECEMBER 31, 2016

Applicant, Teresa D. Miller, Insurance Commissioner of the Commonwealth of Pennsylvania, in her official capacity as the Statutory Liquidator ("Liquidator") of Regis Insurance Company ("Regis"), pursuant to Pa.R.A.P. 3784(a) and 40 P.S. § 221.45, respectfully applies to this Court for an Order approving her Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016. In support of her Application, the Liquidator avers the following:

BACKGROUND

- 1. Insurance Commissioner Teresa D. Miller, and her successor in office, if any, was appointed Statutory Liquidator of Regis pursuant to this Court's Order dated October 30, 2015 ("Liquidation Order").
- 2. The Liquidation Order provided that "in addition to the notice requirements of Section 524 of Article V, 40 P.S. § 221.24, the Liquidator shall publish notice in newspapers of

¹See The Insurance Department Act of 1921, Act of May 17, 1921, P.L. 789, as amended, 40 P.S. §§ 221.1 – 221.63. (This footnote is added here, and is not contained in the text of the Liquidation Order that is being quoted in paragraph 2).

general circulation, where Regis has its principal places of business that: (a) specifies the last day for the filing of claims; (b) explains the procedure by which claims may be submitted to the Liquidator; (c) provides the address of the Liquidator's office for the submission of claims; and (d) notifies the public of the right to present a claim, or claims, to the Liquidator." See Liquidation Order, ¶15. By November 3, 2015, the Liquidator provided Notice of the Liquidation Order and a Q&A document that, *inter alia*, informed all interested parties to download a Proof of Claim ("POC") form from the Insurance Department's website, or call for a copy of the POC form.

3. 40 P.S. § 221.45 requires the Liquidator to present to the Court a report of the claims against the insurer with recommendations, including the name and address of each claimant, the particulars of the claim, and the amount of the claim finally recommended, if any. Pa.R.A.P. 3784(a) further refines 40 P.S. § 221.45, and requires the Liquidator to present to the Court a report of the claims against the insurer's estate that have been resolved, with recommendations, including the information required by 40 P.S. § 221.45, as well as the priority class, and whether the claim determination was finalized because no objection was filed, no exceptions were taken to a referee's recommended decision, a recommended decision was sustained by the Court or the parties agreed to a settlement.

REPORT AND RECOMMENDATIONS ON CLAIMS UNDISPUTED AND RESOLVED AS OF DECEMBER 31, 2016

4. The Liquidator's Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016, is comprised of one part, which is attached hereto as Exhibit A (and referred to as "Report").² The claims are

²These types of claims reports typically contain a second part, Exhibit B, which addresses claims that were determined and finalized because no exceptions were taken to a referee's recommended decision, a recommended decision was sustained by the Court or the parties agreed to a settlement, and are referred to as "Resolved Claims". However, in the Regis estate, no objections have been filed to the Liquidator's evaluations of the claims received, and thus there are no Resolved Claims to report.

sorted alphabetically, within each class, by the claimant's last name or company name. The amount claimed by the claimant, *inter alia*, is also included in the Report.³

- 5. Exhibit A addresses claims that were determined and finalized without objection, and for which the objection period expired on or before December 31, 2016. These claims are referred to as "Undisputed Claims". In this Report, the Liquidator respectfully submits her recommendations for a total of 11 Undisputed Claims, with a total allowed amount of \$19,891.79, in accordance with Pa.R.A.P. 3784(a) and 40 P.S. § 221.45, for this Court's approval.
- 6. In fulfilling her statutory requirements, the Liquidator carefully reviewed all documentation submitted by the claimants in support of the claims and independently determined the merit, classification and value of each claim, as required by Article V. See 40 P.S. §§ 221.37, 221.38, 221.44, 221.45.
- 7. Given the discretion afforded the Liquidator pursuant to 40 P.S. § 221.45(a) to "comport, compromise, or in any other manner negotiate the amount for which claims will be recommended to the Court," the Liquidator believes that the classification and amounts she has determined for the reported claims are appropriate, fair and equitable and consistent with the relevant provisions of Article V. The Liquidator further believes that the approval of the claims listed in the attached Report is in the best interests of the Regis estate, claimants and other creditors.
- 8. Pursuant to Pa.R.A.P. 3784(a) and 40 P.S. § 221.45(b), the Liquidator respectfully requests that this Court approve the classification and allowed amount of the claims listed in the Report and allow the claimants listed in the Report or their lawful assignees to receive a

³If the claimant did not indicate a specific claim amount on the Proof of Claim, the claimed amount is noted as \$0.

distribution in accordance with 40 P.S. § 221.44 at the time and in the manner as approved by this Court.

WHEREFORE, the Liquidator respectfully requests that this Court grant her Application and approve and allow the claims as listed in the Report attached as Exhibit A, enter an Order in the form attached hereto, and grant such other relief as the Court shall determine appropriate and just.

Respectfully submitted,

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

Attorney for Teresa D. Miller, Insurance Commissioner of the Commonwealth of Pennsylvania, in her capacity as Statutory Liquidator of Regis Insurance Company In Liquidation

Dated:___



Undisputed and Resolved Claims

Undisputed Claims

REGIS INS CO

Report Period: 10/31/2015 thru 12/31/2016

Jdli 12, 2017	Number of Undisputed Claims:
<u> </u>	11 Amount Claimed:
	119,768.18 Amount Approved:
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Undisputed and Resolved Claims Undisputed Claims

REGIS INS CO

Report Period: 10/31/2015 thru 12/31/2016

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	tel Allowed Claim Particulars	S Josephan (1)	D CARTES		200	Addiess	ame

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 via regular U.S. Mail addressed as follows:

Richard A. DiLoreto Tiber Holding Corporation 831 North Tatnall Street, Suite 200 Wilmington, DE 19801

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 Regis Insurance Company

DATED:

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: Regis Insurance Company

In Liquidation

No. 1 REG 2015

RE: Liquidator's Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016.

ORDER

AND NOW, this _____ day of ______, 2017, upon consideration of the Liquidator's Application for Approval of Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016 ("Application"), it is hereby ORDERED and DECREED:

- 1. The Application is GRANTED and the claims listed in the Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016 ("Report") are APPROVED and ALLOWED both as to classification and amount as listed;
 - 2. The Report is incorporated herein by reference; and
- 3. The Claimants listed in the Report or their lawful assignees shall receive a distribution in accordance with 40 P.S. § 221.44 at the time and in the manner as approved by this Court.

RENEE COHN JUBELIRER, JUDGE



COMMONWEALTH OF PENNSYLVANIA GOVERNOR'S OFFICE OF GENERAL COUNSEL

January 18, 2017

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

Re: Regis Insurance Company (In Liquidation)

No. 1 REG 2015

Dear Mr. Krimmel:

Attached please find the Liquidator's Report and Recommendations on Regis Insurance Company Claims Undisputed and Resolved from October 31, 2015 to December 31, 2016, with regard to the above-referenced liquidation.

Thank you for your assistance in this matter.

Very truly yours,

Preston M. Buckman

Insurance Department Counsel

PMB:drh

Enclosure