

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

M. Diane Koken, Insurance
Commissioner, Commonwealth
of Pennsylvania,
Plaintiff

v.

No. 183 M.D. 2002

Legion Insurance Company,
Defendant

Re: PROCEDURES FOR FILING AND SERVICE

ORDER

AND NOW, this 11th day of January, 2006, it is hereby ORDERED as follows:

1. All filings in the Legion Insurance Company liquidation proceeding shall be made with the Office of Chief Clerk of the Commonwealth Court of Pennsylvania, Irvis Office Building, Room 624, Harrisburg, Pennsylvania 17120.

2. Each filing made with the Office of the Chief Clerk shall consist of one original and two copies and, in addition, shall be submitted on a labeled 3-1/2" diskette or CD in Microsoft Word format.

3. Courtesy copies of filings should not be provided to the judge's chambers unless specifically requested.

4. Unless, and until, this Court orders the Legion liquidation proceeding to be consolidated with the companion liquidation proceeding at No. 182

M.D. 2002 relating to Villanova Insurance Company, filings shall be separately captioned and docketed.

5. The Master Service List shall include (a) the name and address of the lead counsel for each litigant and (b) the name and address of each *pro se* litigant who has entered an appearance in this matter, either before or after entry of this order.

6. The Liquidator shall compile and maintain the Master Service List for this proceeding and make it available upon request at the cost of \$1.00 per page.

7. The Liquidator shall post and maintain the Master Service List on the Pennsylvania Insurance Department's website.

8. All counsel that enter their appearance shall obtain the Master Service List from the Liquidator.

9. In any matter initiated by intervention in this liquidation proceeding, the moving party (Intervenor) shall serve all persons on the Master Service List with the petition to intervene, application for relief, complaint, or other request for affirmative relief sought from Legion Insurance Company (In Liquidation) or from the Liquidator. Each such matter shall be separately identified by a "Re: _____" line below the case caption. Intervenor's service on those on the Master Service List need not include exhibits attached to the petition; however, Intervenor's service on the Liquidator shall include a copy of all exhibits attached to the petition.

10. The Liquidator shall file a response to Intervenor's petition or request for affirmative relief, regardless of how it is captioned, within thirty (30) days, unless otherwise agreed to by the putative Intervenor or ordered by the Court. The Liquidator shall serve her response upon all persons on the Master Service List, but

need not include any exhibits attached to her response; however, the Liquidator's service on the Intervenor shall include a copy of all exhibits attached to the response.

11. Thereafter, service of filings made with respect to an Intervenor's request for affirmative relief shall be made by the Liquidator in accordance with ¶13 of this Order; the Intervenor need only serve the Liquidator.

12. Any person on the Master Service List desiring a copy of any filing made with respect to an Intervenor's request for affirmative relief, can obtain a copy of the filing by requesting it from the Liquidator or from the Intervenor.

13. Except as required in ¶10 of this Order, all filings made by the Liquidator in the Legion liquidation proceeding shall be served upon those on the Master Service List in the manner that follows:

(a) As soon as practicable, the Liquidator shall:

(i) Post a copy of the Court filing in Adobe PDF format on the Legion website at www.legioninsurance.com, which is maintained by the Liquidator and covers both the Legion and Villanova proceedings;

(ii) Transmit by facsimile or electronic mail ("e-mail") a Notice of Filing, in the form attached hereto as Exhibit A, upon each person on the Master Service List.

(b) The Notice of Filing shall include the following:

(i) The title or description of the filing made by the Liquidator with the Court;

(ii) The date of the filing;

- (iii) Directions on how interested persons may view, download, or print a copy of the filing from the Legion website at www.legioninsurance.com;
 - (iv) The statement that the filing is available for viewing, downloading, or printing at the website at www.legioninsurance.com; and
 - (v) The telephone number of the Legion general hotline for those unable to view, download, or print the filing at the Legion website.
- (c) Upon transmission of the Notice of Filing by facsimile or e-mail, service is complete.
 - (d) If the Notice of Filing is transmitted by facsimile, the Liquidator shall also comply with the requirements of Pennsylvania Rule of Civil Procedure 440(d)(2), relating to a facsimile cover sheet.
 - (e) Notwithstanding the foregoing, any person on the Master Service List may request, in writing sent to the Liquidator, that service of a filing only be made upon such person as provided in Rule 440(a)(1) and (2), relating to service by hand-delivery or mailing.
 - (f) For those on the Master Service List who have not provided the Liquidator with a facsimile number or a valid e-mail address, the Liquidator shall complete service in accordance with Rule 440(a)(1)(i) and (2), by hand-delivery or by mailing a copy of the filing.
 - (g) For those on the Master Service List served by electronic means, the Liquidator shall certify that they were served a Notice of Filing by facsimile or e-mail and that an electronic copy of the filing in Adobe PDF format is available on the Legion website at www.legioninsurance.com.

14. Notwithstanding the foregoing, the Liquidator may, in her discretion, make service of filings in this liquidation proceeding in accordance with the provisions of Pennsylvania Rule of Civil Procedure 440.

15. This Order has no application to filings made with respect to the disposition of Proofs of Claim, which are governed by this Court's separate order of January 11, 2006.

16. A copy of this Order shall be posted on the following websites: www.ins.state.pa.us and www.legioninsurance.com and shall be served on all persons on the Master Service List.



MARY HANNAH LEAVITT, Judge

website, a copy of this filing may be obtained by calling the general Legion hotline at (215) 979-7879, or the undersigned counsel for the Liquidator.

Respectfully submitted,

ATTORNEY,

**[INSERT NAME OF FIRM AND/OR
ADDRESS AND PHONE NUMBER]**

Attorneys for the Statutory Liquidator for
Legion Insurance Company (in Liquidation)

Dated: _____