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January 15, 2013

Via UPS NEXT DAY AIR

Michael F. Krimmel, Chief Clerk
Commonwealth Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 2100
Harrisburg, PA 17106-9185

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

Dear Mr. Krimmel:

Enclosing for filing in the above-referenced matter, please find an original and three copies of a Joint Motion of Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, in His Official Capacity as Liquidator of First Sealord Surety, Inc., and Proposed Intervenor, St. Paul Mercury Insurance Company, for Withdrawal of the Application for Limited Intervention by St. Paul Mercury Insurance Company. Also enclosed is an electronic copy of the same.

Kindly retain the original and three copies for filing, and return the additional time-stamped copy to my attention in the enclosed, self-addressed and stamped envelope.

Sincerely yours,


Jeffrey D. Grossman

JDG:tc
Enclosures
cc: Nicholas F. Paone, Esquire

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE:	:	
First Sealord Surety, Inc.,	:	
In Liquidation	:	NO. 1 FSS 2012
v.	:	
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ORDER

AND NOW, this ____ day of _____, 2013, upon consideration of the Joint Motion of Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, In His Official Capacity as Liquidator of First Sealord Surety, Inc., and Proposed Intervenor, St. Paul Mercury Insurance Company, for Withdrawal of the Application for Limited Intervention by St. Paul Mercury Insurance Company, it is hereby ORDERED that the Application for Limited Intervention by St. Paul Mercury Insurance Company is WITHDRAWN.

BONNIE BRIGANCE LEADBETTER, Judge

STRADLEY RONON STEVENS & YOUNG LLP
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Attorneys for Plaintiff, Michael F. Consedine,
Insurance Commissioner of the Commonwealth of
Pennsylvania in his Official Capacity as Statutory
Liquidator of First Sealord Surety, Inc.

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Attorneys for Proposed Intervenor, St. Paul
Mercury Insurance Company

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE:
First Sealord Surety, Inc.,
In Liquidation

v.

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NO. 1 FSS 2012
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**JOINT MOTION OF MICHAEL F. CONSEDINE,
INSURANCE COMMISSIONER OF THE COMMONWEALTH OF
PENNSYLVANIA, IN HIS OFFICIAL CAPACITY AS LIQUIDATOR OF
FIRST SEALORD SURETY, INC., AND PROPOSED INTERVENOR, ST. PAUL
MERCURY INSURANCE COMPANY, FOR WITHDRAWAL OF THE APPLICATION
FOR LIMITED INTERVENTION BY ST. PAUL MERCURY INSURANCE COMPANY**

Plaintiff, Michael F. Consedine, Insurance Commissioner of the Commonwealth
of Pennsylvania, in his official capacity as Statutory Liquidator of First Sealord Surety, Inc. (the
“Liquidator”), and Proposed Intervenor, St. Paul Mercury Insurance Company (“St. Paul”),
hereby jointly move for the withdrawal of the Application For Limited Intervention By St. Paul

(the “Application for Limited Intervention”), and as grounds for the withdrawal, together set forth as follows:

1. On or about December 7, 2012, St. Paul filed the Application for Limited Intervention and therein sought orders from this Court to (a) intervene in *In Re: First Sealord Surety Company, Inc. In Liquidation*, 1 FSS 2012, and (b) authorize St. Paul to expend defense costs under a St. Paul SelectOne for Insurance Companies Policy, identified as policy number 563CM1812 (the “Policy”).

2. Subsequent to filing the Application for Limited Intervention, the Liquidator and St. Paul discussed the Policy and the Liquidator represented to St. Paul the following:

A. The Liquidator has not claimed and will not presently claim that defense costs expended by St. Paul under the Policy are assets of the estate of First Sealord Surety, Inc. (the “Estate”);

B. The Liquidator reserves the right to claim at any subsequent time that the Policy, including the then-remaining Policy limits available to insureds under the Policy for indemnity and/or defense (“Policy Limits), are assets of the Estate; and

C. If the Liquidator claims at any subsequent time that the Policy Limits are assets of the Estate and seeks relief from the Court to enjoin St. Paul from expending Policy Limits, the Liquidator will not claim that any defense costs expended from the Policy Limits by St. Paul up to the date of any filing by the Liquidator for such relief comprise assets of the Estate or otherwise should be refunded by St. Paul.

3. Given the representations of the Liquidator as set forth herein, St. Paul and the Liquidator jointly move this Court for withdrawal of the Application for Limited Intervention.

4. There is no present controversy between St. Paul and the Liquidator as to the subject of the Application for Limited Intervention and, therefore, the application is moot.

WHEREFORE, Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania in his Official Capacity as Statutory Liquidator of First Sealord Surety, Inc., and St. Paul Mercury Insurance Company, jointly request this Court to enter an Order for the withdrawal of the Application For Limited Intervention By St. Paul Mercury Insurance Company.

Respectfully,



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

Respectfully,



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*Attorneys for Proposed Intervenor,
St. Paul Mercury Insurance Company*

CERTIFICATE OF SERVICE

I, Jeffrey Grossman, hereby certify that I have caused to be served today, January 15, 2013, via first-class mail, postage pre-paid and e-mail, a copy of the Joint Motion of Michael F. Consedine, Insurance Commissioner of the Commonwealth of Pennsylvania, In His Official Capacity as Liquidator of First Sealord Surety, Inc., and Proposed Intervenor, St. Paul Mercury Insurance Company, for Withdrawal of the Application for Limited Intervention by St. Paul Mercury Insurance Company, and accompanying proposed Order, on:

Nicholas F. Paone (51338)
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*Attorneys for Proposed Intervenor,
St. Paul Mercury Insurance Company*


Jeffrey Grossman