

3. Admitted that a document entitled "Affidavit of Michael Haas", dated August 31, 2012, is attached to the Objections as Exhibit B. By way of further answer, said affidavit is a document that speaks for itself, and any characterizations of the affidavit by Haas, or factual or legal conclusions asserted by Haas that stem from the affidavit, are denied.

4. It is admitted that there are two notices of determination attached to Haas's Objections, both of which are labeled as Exhibit C. The first Exhibit C contains a Notice of Determination dated August 22, 2012. The second Exhibit C contains a Notice of Determination dated July 21, 2014. It is unclear, however, which of these notices of determination is being referred to in paragraph four of Haas's Objections.

5. Denied as stated. It is admitted, however, that Haas's claim has been denied because Haas did not comply with the ECVP approved by this Court by Order dated May 16, 2014, by failing to submit to the Liquidator an estimated value of its claim by July 15, 2014.

6. Denied. Haas's claim has been correctly denied because Haas did not comply with the ECVP approved by this Court by Order dated May 16, 2014, by failing to submit to the Liquidator an estimated value of its claim by July 15, 2014.

7. Admitted.

8. The Liquidator is without information sufficient to form a belief as to the accuracy of the assertions in paragraph 8 of Haas's Objections, and therefore said assertions are denied.

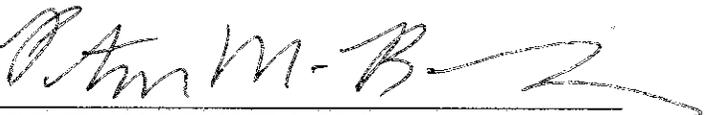
9. Denied. Haas's claim has been correctly denied because Haas did not comply with the ECVP approved by this Court by Order dated May 16, 2014, by failing to submit to the Liquidator an estimated value of its claim by July 15, 2014.

10. To the extent that Haas is referring to First Sealord Surety, Inc. ("FSSI") never conducting "[a]n independent investigation of the insurance claim" prior to FSSI being placed in liquidation, the Liquidator is without information sufficient to form a belief as to the accuracy of the assertion in paragraph 10 of Haas's Objections, and therefore said assertion is denied. To the extent

that Haas is referring to FSSI never conducting “[a]n independent investigation of the insurance claim” after FSSI was placed in liquidation, the Liquidator denies the assertion, as the Liquidator has investigated Haas’s claim.

WHEREFORE, the Liquidator respectfully requests that this Honorable Court dismiss Haas’s Objections to the Liquidator’s Notice of Determination that denied Haas’s claim because Haas did not comply with the ECVF approved by this Court by Order dated May 16, 2014, by failing to submit to the Liquidator an estimated value of its claim by July 15, 2014.

Respectfully submitted:

By: 

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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: 9/4/14

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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Counsel for the Statutory Liquidator of First
Sealord Surety, Inc. (In Liquidation)

DATED: _____

9 | 4 | 14



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

September 4, 2014

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

Re: *Haas Construction, Inc. v. First Sealord Surety, Inc. (In Liquidation)*
Objections to Notice of Determination Re POC No. 1101
No. 7 FSS 2014
Ancillary Matter to In Re: First Sealord Surety, Inc., No. 1 FSS 2012

Dear Mr. Krimmel:

Attached please find the Liquidator's Response to Objections to Notice of Determination with regard to the above-referenced ancillary matter.

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