

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Healthcare Providers Insurance :
Exchange, In Liquidation : No. 1 HPI 2017

Re: Liquidator's Application to Establish a Claims Bar Date

ORDER

AND NOW, this 22nd day of June, 2021, upon consideration of the Liquidator's Application to Establish a Claims Bar Date (Application), and having received no responses or objections to the Application, the Application is GRANTED as follows:

1. August 6, 2021, is hereby established as the Claims Bar Date.
2. Any claim against Healthcare Providers Insurance Exchange (HPIX), the Liquidator, her agents and representatives, or any claim that could affect the assets of HPIX, wherever or however such assets may be owned or held, directly or indirectly, must be filed with the Liquidator no later than the Claims Bar Date.
3. A claim must be filed by means of a completed Proof of Claims Form, together with proper proof supporting the claim. The Proof of Claims Form, attached to the Application as Exhibit C, is approved and should be used by any claimant who files a claim after the date of this Order. Notwithstanding the foregoing, a Proof of Claim received on the original Proof of Claim Form for the HPIX Estate shall be reviewed by the Liquidator and will be subject to the terms of this Order. Claimants requiring a Proof of Claim Form should contact the Liquidator as directed at the end of the Notice of the Claims Bar Date Order, attached as Exhibit A to the Application.

4. A Proof of Claim shall be deemed filed on the day it is received by the Liquidator, unless first class mail is utilized, in which case it will be deemed to be filed on the date of the postmark.

5. Any Proof of Claim filed after the Claims Bar Date is untimely and shall be disallowed by the Liquidator without consideration of its merits. This Order bars the filing of any such Proof of Claim after the Claims Bar Date for any reason, including, without limitation, a reason constituting “good cause” under the late claim provisions of Section 537 of the Insurance Department Act of 1921, 40 P.S. § 221.37,¹ the discovery of information not previously known, or the fact that a claim was previously contingent but had not yet matured. Any claim that does not ripen into a legal cause of action prior to the Claims Bar Date is barred, even though the claimant filed a Proof of Claim before the Claims Bar Date. Notwithstanding the foregoing, if a claim ripens into a legal cause of action within 30 days prior to the Claims Bar Date, a timely Proof of Claim may be filed within 30 days thereafter.

6. The establishment of the Claims Bar Date does not constitute the waiver of any defenses to individual Proofs of Claim. All defenses to such claims remain available to HPIX and the Liquidator, including defenses otherwise based on the untimeliness of claims.

7. The Claims Bar Date does not apply to, or affect in any way, any claims, actions or rights of HPIX or the Liquidator.

8. The establishment of a Claims Bar Date is not an opportunity to refile or reargue a claim previously filed with HPIX or the Liquidator, and duplicative Proofs of Claim shall not be submitted. If duplicative Proofs of Claim are filed

¹ Act of May 17, 1921, P.L. 789, *as amended*, added by the Act of December 14, 1977, P.L. 280, 40 P.S. § 221.37.

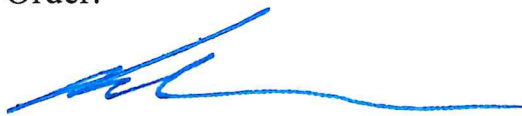
contrary to this Order, the Liquidator shall disallow them without further consideration of their merits.

9. The Claims Bar Date shall not apply to routine administrative expense claims.

10. The Claims Bar Date shall not apply to any claim by a guaranty association.

11. The mailing Notice attached as Exhibit A to the Application shall be revised to conform to the provisions of this Order. The Liquidator shall mail by first class mail, as soon as practicable after receipt of this Order, a copy of the revised mailing Notice to all insureds of record as of January 12, 2018, the date of the Liquidation Order, and to all other persons or entities that filed a Proof of Claim with the Liquidator, and all creditors and potential creditors as of January 12, 2018.

12. The publication Notice attached to the Application as Exhibit B is approved. The Liquidator shall cause a copy of the publication Notice to be published in a newspaper of general circulation where HPIX has its principal place of business. The Notice shall be published twice over a two-week period within 30 days of the date of this Order.



P. Kevin Brobson, President Judge