

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Jessica K. Altman, Insurance	:
Commissioner of the	:
Commonwealth of Pennsylvania,	:
	:
Plaintiff,	:
	:
v.	:
	:
Senior American Insurance Company,	:
	:
Defendant.	:

No. 1 SAI 2018

**LIQUIDATOR’S REPORT PURSUANT TO 40 P.S. § 221.36
REGARDING THE DISTRIBUTION OF ASSETS TO GUARANTY ASSOCIATIONS**

1. Senior American Insurance Company (“SAIC”) was placed into liquidation by the Commonwealth Court of Pennsylvania by Order dated August 15, 2019, with said Order having an effective date of September 3, 2019 (“Liquidation Order”). The Liquidation Order appointed the Insurance Commissioner, and her successors, if any, as the Statutory Liquidator of SAIC (“Liquidator”).
2. The Liquidation Order also declared SAIC to be insolvent as of September 3, 2019.
3. Pursuant to Article V of the Insurance Department Act of 1921 (“Article V”) at Section § 221.36, the Liquidator of SAIC is required to file with the Court an application for approval to distribute assets to guaranty associations (hereinafter referred to as “an early access

distribution”) within 120 days of a final determination that the insurer is insolvent or in such condition that its further transaction of business will be hazardous to, *inter alia*, its policyholders.

4. Section 221.36 also provides that the Liquidator need not make application for approval to distribute assets to guaranty associations in instances where it is reasonable to conclude that the assets of the insolvent insurer will not exceed the amounts necessary to pay, *inter alia*, the costs of liquidation.

5. Pursuant to § 221.36, the Liquidator’s proposal must provide, *inter alia*, provisions for reserving amounts for the payment of expenses of liquidation; disbursement of assets marshaled to date and subsequent disbursement as assets become available; and equitable allocation of disbursements to each of the guaranty associations entitled thereto.

6. SAIC is a small estate with very limited assets. Accordingly, based on the information currently available, the Liquidator believes it is in the best interests of all interested parties to wait until further information becomes available regarding expenses and liabilities before determining whether an early access distribution is needed and feasible. The Liquidator has been in contact with the guaranty associations that are impacted by the liquidation of SAIC and will continue to discuss the issues concerning early access with the guaranty associations as the relevant information is developed.

WHEREFORE, the Liquidator respectfully submits this report in recognition of 40 P.S. § 221.36, and to inform all interested parties, including the guaranty associations, of the status of early access considerations in the SAIC estate

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
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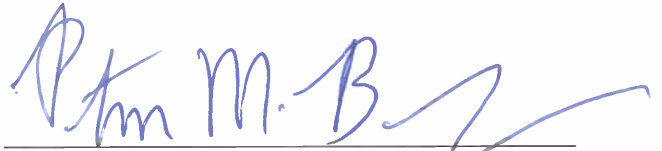
Attorney for Jessica K. Altman, Insurance
Commissioner of the Commonwealth of Pennsylvania,
in her capacity as Statutory Liquidator of Senior
American Insurance Company, In Liquidation

Dated: _____

12/12/19

**CERTIFICATION OF COMPLIANCE
WITH PUBLIC ACCESS POLICY**

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.



Preston M. Buckman (I.D. No. 57570)
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Pennsylvania Insurance Department
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(717) 886-2080

Attorney for Jessica K. Altman, Insurance
Commissioner of the Commonwealth of
Pennsylvania, in her capacity as Statutory
Liquidator of Senior American Insurance
Company, In Liquidation

Dated: _____

12/12/19

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 Pa. R.A.P. 3780, in the following manner:

Service via regular U.S. Mail addressed as follows:

Benedict J. Iacovetti, Chief Executive Officer
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Attorney for Jessica K. Altman, Insurance
Commissioner of the Commonwealth of Pennsylvania,
in her capacity as Statutory Liquidator of Senior
American Insurance Company, In Liquidation

Dated: _____

12/12/19



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

December 12, 2019

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

**Re: *Jessica K. Altman, Insurance Commissioner of the Commonwealth of Pennsylvania v. Senior American Insurance Company ("SAIC")
No. 1 SAI 2018***

Dear Mr. Krimmel:

Attached for filing please find the Liquidator's Report Pursuant to 40 P.S. § 221.36 Regarding the Distribution of Assets to Guaranty Associations with regard to the above-referenced matter.

Thank you for your assistance in this matter.

Very truly yours,

A handwritten signature in blue ink that reads "Preston M. Buckman".

Preston M. Buckman
Insurance Department Counsel

PMB:drh

Enclosure