

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Jessica K. Altman, Insurance	:	
Commissioner of the	:	
Commonwealth of Pennsylvania,	:	
	:	
Plaintiff,	:	
	:	
v.	:	No. 1 SAI 2018
	:	
Senior American Insurance Company,	:	
	:	
Defendant.	:	

**APPLICATION FOR APPROVAL OF REPORT AND RECOMMENDATIONS
ON SENIOR AMERICAN INSURANCE COMPANY CLAIMS
UNDISPUTED AND RESOLVED
FROM SEPTEMBER 4, 2020 TO SEPTEMBER 3, 2021**

Applicant, Jessica K. Altman, Insurance Commissioner of the Commonwealth of Pennsylvania, in her official capacity as the Statutory Liquidator (“Liquidator”) of Senior American Insurance Company (“SAIC”), pursuant to Pa.R.A.P. 3784(a) and 40 P.S. § 221.45, respectfully applies to this Court for an Order approving her Report and Recommendations on Senior American Insurance Company Claims Undisputed and Resolved from September 4, 2020 to September 3, 2021. In support of her Application, the Liquidator avers the following:

BACKGROUND

1. The Insurance Commissioner of the Commonwealth of Pennsylvania was appointed Liquidator of SAIC pursuant to this Court’s Order dated August 15, 2019, with said Order having an effective date of September 3, 2019 (“Liquidation Order”).

2. The Liquidation Order cited the notice requirements of Section 524 of Article V¹, 40 P.S. § 221.24, and directed the Liquidator to publish notice in newspapers of general circulation where SAIC has its principal places of business that: (a) explains the procedure by which claims against the estate of SAIC may be submitted to the Liquidator; (b) provides the address of the Liquidator's office for the submission of claims; and (c) notifies the public of the right to present a claim, or claims, to the Liquidator." See Liquidation Order, ¶7. The Liquidator provided notice of the Liquidation Order and a Q&A document to all interested parties on September 3, 2019, which, inter alia, provided relevant information about claim filing procedures and other related issues.

3. 40 P.S. § 221.45 requires the Liquidator to present to the Court a report of the claims against the insurer with recommendations, including the name and address of each claimant, the particulars of the claim, and the amount of the claim finally recommended, if any. Pa.R.A.P. 3784(a) further refines 40 P.S. § 221.45, and requires that at least annually, the Liquidator present to the Court a report of the claims against the insurer's estate that have been resolved, with recommendations, including the information required by 40 P.S. § 221.45, as well as the priority class, and whether the claim determination was finalized because no objection was filed, no exceptions were taken to a referee's recommended decision, a recommended decision was sustained by the Court or the parties agreed to a settlement.

¹The Insurance Department Act of 1921, Act of May 17, 1921, P.L. 789, as amended. Article V was added by the Act of December 14, 1977, P.L. 280, as amended, 40 P.S. §§ 221.1 – 221.63 ("Act"). (This footnote is added here and is not contained in the text of the Liquidation Order that is being quoted in paragraph 2.)

REPORT AND RECOMMENDATIONS ON CLAIMS
UNDISPUTED AND RESOLVED AS OF SEPTEMBER 3, 2021

4. The Liquidator's Report and Recommendations on SAIC Claims Undisputed and Resolved from September 4, 2020 to September 3, 2021, is comprised of two parts and attached hereto as Exhibits A and B (collectively referred to as "Report"). The claims are sorted alphabetically, within each class, by the claimant's last name or company name. The amount claimed by the claimant, *inter alia*, is also included in the Report.²

5. The first part of the Report, which addresses claims that were determined and finalized without objection, and are referred to as "Undisputed Claims", reflects Notices of Determination ("NOD") issued by the Liquidator for which the objection period expired on or before September 3, 2021. The total number of Undisputed Claims is 1 (one) with an allowed amount of \$0.00. The list of Undisputed Claims is attached hereto as Exhibit A.

6. The second part of the Report, which addresses claims that were determined and finalized because no objection was filed, no exceptions were taken to a referee's recommended decision, a recommended decision was sustained by the Court or the parties agreed to a settlement, and are referred to as "Resolved Claims", is a list of the disputed claims to which objections were filed and resolved on or before September 3, 2021. The total number of Resolved Claims is 0 (zero), with an allowed amount of \$0.00. This information is memorialized in Exhibit B, which is attached hereto.³

²If the claimant did not indicate a specific claim amount on the Proof of Claim, the claimed amount is noted as \$0.

³It should be noted that SAIC is a small estate in which only a limited number of claims will be filed during its life cycle. The vast majority of claims will be policyholder claims, which, in accordance with applicable state statutes, will be handled by one of the ten guaranty associations, including Pennsylvania, where SAIC was licensed to write business. Eventually, the guaranty associations will file an omnibus proof of claim with the Liquidator seeking reimbursement for administrative expenses and the costs of providing policyholder benefits. The Liquidator will seek this Court's approval of those omnibus claims once they are finalized. In the interim, to facilitate the handling and payment of these policyholder claims by the guaranty associations, the Liquidator will soon be filing an application with this Court seeking approval to distribute early access funds to the guaranty associations in accordance with 40 P.S. §221.36.

7. As set forth in Exhibits A and B, the Liquidator respectfully submits her recommendations for a total of 1 claim with a total allowed amount of \$0.00 in accordance with Pa.R.A.P. 3784(a) and 40 P.S. § 221.45 for this Court's approval.

8. In fulfilling her statutory requirements, the Liquidator carefully reviewed all documentation submitted by the claimants in support of the claims and independently determined the merit, classification and value of each claim, as required by the Act. See 40 P.S. §§ 221.37, 221.38, 221.44, 221.45.

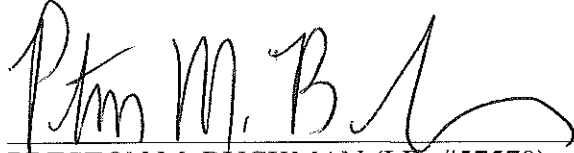
9. Given the discretion afforded the Liquidator pursuant to 40 P.S. § 221.45(a) to "comport, compromise, or in any other manner negotiate the amount for which claims will be recommended to the court," the Liquidator believes that the classification and amounts she has determined for the reported claims are appropriate, fair and equitable and consistent with the relevant provisions of the Act. The Liquidator further believes that the approval of the claims listed in the attached Report is in the best interests of the SAIC estate, claimants and other creditors.

10. Pursuant to Pa.R.A.P. 3784(a) and 40 P.S. § 221.45(b), the Liquidator respectfully requests that this Court approve the classification and allowed amount of the claims listed in the report and allow the claimants listed in the Report or their lawful assignees to receive a distribution, as applicable, in accordance with 40.P.S. § 221.44 at the time and in the manner as approved by this Court.

WHEREFORE, the Liquidator respectfully requests that this Court grant her Application and approve and allow the claim as listed in the Report attached as Exhibits A and B, enter an

Order in the form attached hereto, and grant such other relief as the Court shall determine appropriate and just.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Preston M. Buckman", written over a horizontal line.

PRESTON M. BUCKMAN (I.D. #57570)
Insurance Department Counsel
Office of Liquidations, Rehabilitations
& Special Funds
Governor's Office of General Counsel
Capital Associates Building
901 North 7th Street
Harrisburg, PA 17102
(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: September 14, 2021

EXHIBIT A

Undisputed and Resolved Claims

Undisputed Claims

SENIOR AMERICAN INSURANCE COMPANY

Report Period: 09/04/2020 thru 09/03/2021

Number of Undisputed Claims:	Amount Claimed:	Amount Approved:	0.00
1	0.00	0.00	0.00

Undisputed and Resolved Claims

Undisputed Claims

SENIOR AMERICAN INSURANCE COMPANY

Report Period: 09/04/2020 thru 09/03/2021

Name	Address	POC #	Received Dt	Claim Numbers	Class	Amt Claimed	Allowed Amt	Claim Type
SCC BUREAU OF INSURANCE	SCC BUREAU OF INSURANCE 1300 EAST MAIN ST RICHMOND, VA 23219	1	9/19/2019		F	0.00	0.00	STATE/LOCAL

EXHIBIT B

Undisputed and Resolved Claims

Resolved Claims

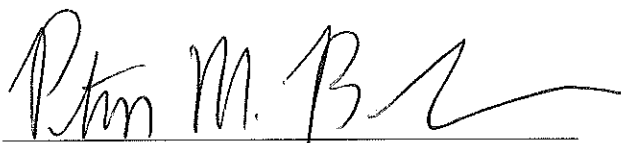
SENIOR AMERICAN INSURANCE COMPANY

Report Period: 09/04/2020 thru 09/03/2021

Number of Resolved Claims:	0	Amount Claimed:	0.00	Amount Approved:	0.00
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**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)
PA Office of General Counsel
Pennsylvania Insurance Department
Office of Liquidations, Rehabilitations
and Special Funds
901 North 7th Street
Harrisburg, PA 17102
(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: September 14, 2021

CERTIFICATE OF SERVICE

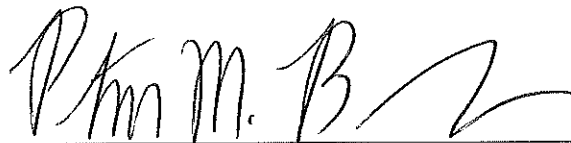
I hereby certify that I am this day serving the foregoing document upon all parties of record in this proceeding, in accordance with the requirements of Pa. R.A.P. 3780, in the following manner:

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

Benedict J. Iacovetti, Chief
Executive Officer
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580 Virginia Drive, Suite 330
Fort Washington, PA 19034
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(215) 918-0565 (Fax)

Bart A. Boles, Executive Director
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Association
515 Congress Ave, Suite 1875
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(512) 476-5101
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(512) 472-1470 (Fax)

Matthew Coble, Esquire
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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: September 14, 2021



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

September 14, 2021

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 Application for Approval of Report and Recommendations on Senior American Insurance Company Claims Undisputed and Resolved from September 4, 2020 to September 3, 2021, with regard to the above-referenced 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

Enclosure