

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

**MEMORANDUM and ORDER**

Presently before the Court is the Application for Approval of Report and Recommendations on Senior American Insurance Company Claims Undisputed and Resolved from September 3, 2019 to September 3, 2020 (Application)<sup>1</sup> filed by Jessica K. Altman, Insurance Commissioner of the Commonwealth of Pennsylvania, in her official capacity as the Statutory Liquidator (Liquidator) of the Senior American Insurance Company (SAIC). Specifically, the Liquidator seeks approval of her resolution of seven undisputed claims against the SAIC estate. There were no resolved claims during the reporting period. No responses were filed to the Application.

Pursuant to Pa. R.A.P. 3784(a) and Section 545(a) of the Insurance Department Act of 1921 (Act),<sup>2</sup> 40 P.S. § 221.45(a), the Liquidator is required to present to the Court a report of the claims against the SAIC estate along with her

---

<sup>1</sup> In an August 15, 2019 Order, the Court placed SAIC into liquidation.

<sup>2</sup> Act of May 17, 1921, P.L. 789. Section 545(a), part of Article V of the Act, was added by the Act of December 14, 1977, P.L. 280.

recommendations. The report should include the name and address of each claimant, the particulars of the claim, the priority classification assigned, the amount allowed, if any, and whether the claim is resolved. Pa. R.A.P. 3784(a); Section 545(a) of the Act. Prior to making her recommendations, the Liquidator is statutorily charged with reviewing all claims filed and making further investigation if necessary. Section 545(a) of the Act.

The Liquidator's required report is comprised of two parts, which are attached to the Application as Exhibits A and B. According to the Liquidator, Exhibit A addresses claims against the SAIC estate that were determined and finalized without objections ("Undisputed Claims"), and the objection period for the included claims has since expired. Exhibit A details seven Undisputed Claims, with an associated total allowed amount of \$3,350.07.

The second part of the report, Exhibit B, addresses "Resolved Claims" which generally include "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." Application ¶ 6. There were no Resolved Claims from September 3, 2019 through September 3, 2020.

In support of her recommendation, the Liquidator avers that "[i]n 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." Application ¶ 8. The Liquidator further represents 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.

*Id.* ¶ 9.

Considering these averments, the absence of any response to the Application, and the Liquidator's statutory authorization to "comport, compromise or in any other manner negotiate the amount for which claims will be recommended to the court," *see* Section 545(a) of the Act, the Court will grant the Application and approve and allow the undisputed claims as directed in the following order.

AND NOW, this 5th day of January, 2021, the Liquidator's Application is **GRANTED** as follows:

1. The claims listed in the Undisputed and Resolved Claims Report (Report), comprised of Exhibits A and B, covering the period of September 3, 2019 to September 3, 2020, are approved and allowed both as to classification and amount listed;
2. The Report is incorporated herein by reference;
3. The Claimants listed in the Report or their lawful assignees shall receive a distribution in accordance with Section 544 of the Act, added by the Act of December 14, 1977, P.L. 280, 40 P.S. § 221.44, at the time and in the manner approved by this Court.



P. Kevin Brobson, President Judge