

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: Senior American Insurance :
Company (In Liquidation) : 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 4, 2020 to September 3, 2021 (Application)¹ filed by 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). Specifically, the Liquidator seeks approval of her resolution of one undisputed claim 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 Article V of The Insurance Department Act of 1921 (Article V),² 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 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 Article V. 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 Article V.

¹ In an August 15, 2019 order, the Court placed Senior American Insurance Company (SAIC) into liquidation, effective September 3, 2019.

² Act of May 17, 1921, P.L. 789, added by the Act of December 14, 1977, P.L. 280.

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 one Undisputed Claim, with an associated total allowed amount of \$0.00.

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 4, 2020, through September 3, 2021.

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 [Article V]." 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 [Article V]. 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.

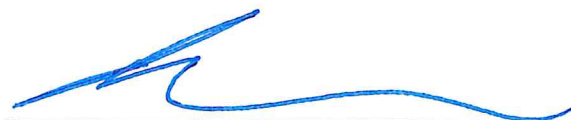
Id. ¶ 9.

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,” Section 545(a) of Article V, the Court will grant the Application and approve and allow the undisputed claim as directed in the following order.

AND NOW, this 25th day of October, 2021, 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 (Application) is **GRANTED** as follows:

1. The claim listed in the Undisputed and Resolved Claims Report (Report), comprised of Exhibits A and B to the Application, covering the period of September 4, 2020 to September 3, 2021, is approved and allowed both as to classification and amount listed;
2. The Report is incorporated herein by reference;
3. The claimant listed in the Report or its lawful assignees shall receive a distribution in accordance with Section 544 of The Insurance Department Act of 1921, Act of May 17, 1921, P.L. 789, 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