

3. The Liquidator provided notice to all known claimants of the Application, which Notice was mailed on March 7, 2023, after approval by this Court by Order dated March 3, 2023. Copies of the Order and Notice are attached hereto as Exhibits A and B, respectively.

4. In response to his Notice, the Liquidator did not receive any objections.

5. The Liquidator has responded to all Application-related claimant inquiries and has made all necessary address and information corrections to the claimant mailing list and stands ready to begin paying claims.

6. Accordingly, the Liquidator now files this Application for Approval of Final Accounting, Final Distribution, Final Claims Report and Recommendation for Disposition of Records Pursuant to 40 P.S. § 221.50, seeking this Court's approval of his final accounting, final distribution, final claims report and his recommendation regarding the disposition of records, which is attached hereto as Exhibit C.

WHEREFORE, the Liquidator prays your Honorable Court that:

1. The Application for Approval of Final Accounting, Final Distribution, Final Claims Report and Recommendation for Disposition of Records Pursuant to 40 P.S. § 221.50, be approved and confirmed absolutely.

2. The Liquidator be authorized to make distribution of the assets of SAIC in accordance with paragraph 6 of the Liquidator's Application for Approval of

Notice of Final Accounting, Proposal for Final Distribution and Final Claims Report,
as follows:

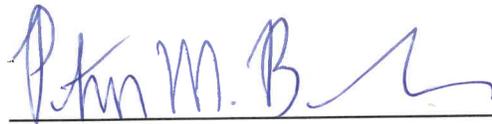
- a. Priority class “a” claims will be paid at 100%. The Liquidator has already received \$429,947.82 in administrative expenses.
- b. Priority class “b” claims will be paid at least 19.07%.
- c. There are no priority class “c” claims.
- d. There are no priority class "d" claims.
- e. Priority class "e" claims will not be paid.
- f. Priority class "f" claims will not be paid.
- g. There are no priority class "g" claims.
- h. There are no priority class “h” claims.
- i. There are no priority class “i” claims.

3. The claims listed in the Final Claims Report, which is attached as Exhibit D to the Liquidator’s Application for Approval of Notice of Final Accounting, Proposal for Final Distribution, and Final Claims Report, be approved and allowed both as to classification and amount as listed.

4. The Liquidator be authorized to destroy the records of SAIC in accordance with the recommendation attached as Exhibit C to this Application for Approval of Final Accounting, Final Distribution, Final Claims Report and Recommendation for Disposition of Records Pursuant to 40 P.S. § 221.50.

5. In accordance with 40 P.S. § 221.48(a), following the completion of the final distribution of assets, the Liquidator shall file an application seeking discharge of the Liquidator, which will also seek approval of the final disposition of any assets remaining in the Liquidator's possession at the time of discharge, or that may be unexpectedly received by the Liquidator post-discharge.

Respectfully Submitted,



PRESTON M. BUCKMAN (I.D. #57570)
Insurance Department Counsel
Office of Liquidations, Rehabilitations and
Special Funds
Governor's Office of General Counsel
Capital Associates Building
901 N. Seventh Street
Harrisburg, PA 17102
(717) 886-2080

*Attorney for Michael Humphreys, Acting
Insurance Commissioner of the
Commonwealth of Pennsylvania, in his
capacity as Statutory Liquidator of Senior
American Insurance Company, In
Liquidation.*

Dated: April 21, 2023

EXHIBIT A

EXHIBIT B

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Senior American Insurance : No. 1 SAI 2018
Company :
In Liquidation

March 7th, 2023

NOTICE TO ALL CLAIMANTS OF
SENIOR AMERICAN INSURANCE COMPANY

PLEASE TAKE NOTICE that Michael Humphreys, in his official capacity as Acting Insurance Commissioner of the Commonwealth of Pennsylvania, and as such, Statutory Liquidator of Senior American Insurance Company (In Liquidation) (“Liquidator”), has filed for approval of his Final Accounting, Proposal for Final Distribution and Final Report and Recommendations on Claims as of January 31, 2023, which sets forth the steps taken in this liquidation during this period of time.

PLEASE TAKE FURTHER NOTICE that the total for class “a”, “b”, “e” and “f” priority claims that has been approved and allowed is \$28,529,043.40. There are no class “c”, “d”, “g”, “h” or “i” claims. The total net assets available for distribution, after payment of administrative expenses incurred by the Liquidator and a reserve of \$21,000 for future administrative expenses of the Liquidator, are \$6,843,373.44.

The Liquidator requests that:

1. The Final Accounting, Proposal for Final Distribution and Final Report and Recommendations on Claims as of January 31, 2023, of Michael Humphreys, in his official capacity as Acting Insurance Commissioner of the Commonwealth of Pennsylvania, as Statutory Liquidator of Senior American Insurance Company (In Liquidation) (“SAIC”), be approved and confirmed absolutely.

2. The Liquidator be authorized to make a distribution of the assets of SAIC as follows:

- a. Priority class "a" claims will be paid at 100%. The Liquidator has already received \$429,947.82 in administrative expenses.
- b. Priority class "b" claims will be paid at least 19.07%.
- c. There are no priority class "c" claims.
- d. There are no priority class "d" claims.
- e. Priority class "e" claims will not be paid.
- f. Priority class "f" claims will not be paid.
- g. There are no priority class "g" claims.
- h. There are no priority class "h" claims.
- i. There are no priority class "i" claims.

3. The Liquidator's form of Notice to be sent by first class mail to claimants be approved.

4. The Liquidator be authorized to destroy records of SAIC in accordance with a recommendation to be filed by the Liquidator with the Court after the issuance of the Notice and the resolution of any objections received to the Final Accounting, Proposal for Final Distribution and the Final Report and Recommendations on Claims as of January 31, 2023.

5. Michael Humphreys, in his official capacity as Acting Insurance Commissioner of the Commonwealth of Pennsylvania, and his predecessor in office, be discharged as Statutory Liquidator of SAIC, and thereby released from any liability to make payment of any further claims, subject to the filing of an application by the Liquidator with this Court seeking the discharge upon completion of the final distribution.

TAKE FURTHER NOTICE that objections to the Final Accounting, Proposal for Final Distribution and Final Report and Recommendations on Claims as of January 31, 2023, must be filed in writing with the Commonwealth Court of Pennsylvania, Office of the Prothonotary, 601 Commonwealth Avenue, Suite 2100, P.O. Box 69185, Harrisburg, Pennsylvania 17106-9185. In the event of such a filing, please refer to Docket No. 1 SAI 2018.

Objections must be filed within 30 days of the date of this Notice, or they shall be forever barred. Objections must be clearly and concisely written.

Copies of this Final Accounting, Proposal for Final Distribution and Final Report and Recommendations on Claims as of January 31, 2023, are available to interested parties for inspection at the Commonwealth Court of Pennsylvania, Office of the Prothonotary, 601 Commonwealth Avenue, Suite 2100, Harrisburg, Pennsylvania 17106-9185 ; and the PA Insurance Department, 901 North 7th Street, Harrisburg, Pennsylvania 17102.

If you have any questions, please call the Bureau of Liquidations Claims, 901 North 7th Street, Harrisburg, Pennsylvania 17102, (717) 787-7823.


Laura L. Slaymaker
Deputy Insurance Commissioner

EXHIBIT C

EXHIBIT C

**TO THE LIQUIDATOR'S APPLICATION FOR APPROVAL OF FINAL
ACCOUNTING, FINAL DISTRIBUTION, FINAL CLAIMS REPORT
AND RECOMMENDATION FOR DISPOSITION OF RECORDS
PURSUANT TO 40 P.S. §221.50**

RECOMMENDATION FOR THE DISPOSITION OF RECORDS

The Senior American Insurance Company ("SAIC") (In Liquidation) estate currently has the following categories of records:

Underwriting Files including:
Policy Forms
Correspondence

Pre-liquidation files including:
Pre-liquidation administrative files
Pre-liquidation files containing annual statements
Pre-liquidation accounting files with correspondence
Pre-liquidation accounting files containing payables
Pre-liquidation accounting files containing premium tax records

Post liquidation files including:
Post-liquidation administrative files
Post liquidation proof of claim files

Pre-liquidation records are important in the early stages of a liquidation proceeding, as they inform the Liquidator about, *inter alia*, the company's assets and financial arrangements, the identity of policyholders and creditors, the identity and status of claims, agent and reinsurance arrangements, and the identity and status of ongoing or contemplated litigation. These records,

however, become less and less utilized as the liquidation progresses, as the Liquidator's staff creates and maintains their own records, such that the original, pre-liquidation records of the company lose, to a large extent, their usefulness in the final stages of a liquidation proceeding. Accordingly, now that the SAIC liquidation proceeding is nearing its conclusion, the Liquidator is recommending that most of the pre-liquidation records be destroyed, as they no longer serve any purpose and will not be required in the future to respond to any post-discharge inquiries that may be received concerning the SAIC liquidation proceeding.

The Liquidator is also recommending that all post liquidation files be retained until such time post discharge that he believes they are no longer needed to respond to any future inquiries concerning the SAIC liquidation, or for any other purpose, at which time the Liquidator respectfully requests that this Court grant him the discretion to destroy those records.

Finally, the Liquidator would note that certain key records of any liquidation proceeding, such as Court orders, final executed settlement agreements, legal filings, certain significant reports and memoranda, *inter alia*, are maintained in perpetuity. That will be the case with the SAIC estate as well.

In keeping with the foregoing, the Liquidator seeks this Court's approval of the following recommendation for the disposition of SAIC records:

1. The Liquidator be authorized to destroy the underwriting files (including policy files, correspondence and terminated policies) and pre-liquidation records.
2. The Liquidator be granted the discretion to prospectively destroy records that he believes no longer need to be retained for any post discharge purpose.

**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.

Respectfully Submitted,



PRESTON M. BUCKMAN (I.D. #57570)
Insurance Department Counsel
Office of Liquidations, Rehabilitations and
Special Funds
Governor's Office of General Counsel
Capital Associates Building
901 N. Seventh Street
Harrisburg, PA 17102
(717) 886-2080

*Attorney for Michael Humphreys, Acting
Insurance Commissioner of the
Commonwealth of Pennsylvania, in his
capacity as Statutory Liquidator of Senior
American Insurance Company, In
Liquidation.*

Dated: April 21, 2023

- a. Priority class "a" claims will be paid at 100%. The Liquidator has already received \$429,947.82 in administrative expenses.
- b. Priority class "b" claims will be paid at least 19.07%.
- c. There are no priority class "c" claims.
- d. There are no priority class "d" claims.
- e. Priority class "e" claims will not be paid.
- f. Priority class "f" claims will not be paid.
- g. There are no priority class "g" claims.
- h. There are no priority class "h" claims.
- i. There are no priority class "i" claims.

3. The claims listed in the Final Claims Report, which is attached as Exhibit D to the Liquidator's Application for Approval of Notice of Final Accounting, Proposal for Final Distribution, and Final Claims Report, are approved and allowed both as to classification and amount as listed.

4. The Liquidator is authorized to destroy the records of SAIC in accordance with the recommendation attached as Exhibit C to the Application for Approval of Final Accounting, Final Distribution, Final Claims Report and Recommendation for Disposition of Records Pursuant to 40 P.S. § 221.50.

5. In accordance with 40 P.S. § 221.48(a), following the completion of the final distribution of assets, the Liquidator shall file an application seeking discharge of the Liquidator, which shall also seek approval of the final disposition of any assets remaining in the Liquidator's possession at the time of discharge, or that may be unexpectedly received by the Liquidator post-discharge.

BY THE COURT:

Renee Cohn Jubelirer, President Judge



GOVERNOR'S OFFICE OF GENERAL COUNSEL

April 21, 2023

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

*Re: Senior American Insurance Company (In Liquidation)
Docket No. 1 SAI 2018*

Dear Mr. Krimmel:

Attached for filing please find the Liquidator's Application for Approval of Final Accounting, Final Distribution, Final Claims Report and Recommendation for Disposition of Records.

Sincerely,

A handwritten signature in black ink, appearing to read "P.M. Buckman".

Preston M. Buckman
Insurance Department Counsel

Enclosures