

the public of the right to present a claim, or claims, to the Liquidator. Additionally, the Liquidation Order directed the Liquidator to file a compliance report within 30 days of giving notice of the Liquidation Order, noting, in reasonable detail, the date and manner by which these notices were given.

3. Pursuant to the Liquidation Order, the Liquidator noticed creditors and potential creditors or claimants of R&Q Re of the Liquidation Order and the claim filing deadline, published notice, and filed a report with this Court on April 27, 2023, demonstrating the date and manner notice was given.

4. Section 537(a) of the Act mandates that proof of all claims shall be filed with the Liquidator in the form required by Section 538 of the Act on or before the last day for filing specified in the above-referenced notice required under Section 524 of the Act.

5. Pursuant to Section 538 of the Act, a proof of claim shall consist of a statement signed by the claimant that includes all of the following elements that are applicable: (a) the particulars of the claim including the consideration given for it; (b) the identity and amount of the security on the claim; (c) the payments made on the debt, if any; (d) that the sum claimed is justly owing and that there is no setoff, counterclaim or defense to the claim; (e) any right of priority of payment or other specific right asserted by the claimants; (f) a copy of written instrument which is the foundation of the claim; (g) in the case of any third party claim based on a liability policy issued by the insurer, a conditional release of the insured pursuant to Section 540(a) of the Act; and (h) the name and address of the claimant and the attorney who represents him, if any. Furthermore, the Liquidator may require that other information and documents be included in addition to the above-referenced requirements.

6. A proof of claim that meets all of the applicable requirements set forth in Section 538, including any other information required by the Liquidator, and is filed by the last day for filing specified in the notice required under Section 524 of the Act, is considered a timely filed absolute claim that is ripe for the issuance of a Notice of Determination (“NOD” or “NODs” for multiple notices of determination) by the Liquidator.

7. A proof of claim that meets all the applicable requirements set forth in Section 538, including any other information required by the Liquidator, but is not filed by the last day for filing specified in the notice required under Section 524, is considered a late-filed absolute claim, and is ripe for the issuance of a NOD by the Liquidator. For good cause shown, late filed claims may share in distributions as if the claim was not late, to the extent such payment will not prejudice the orderly administration of the liquidation, in accordance with Section 537(b) of the Act.

8. Regardless of whether the proof of claim is filed before or after the claims filing deadline, Section 538(a) of the Act specifically provides that “[N]o claim need be considered or allowed if it does not contain all the foregoing information which may be applicable”.

9. The Liquidator may, however, consider and allow claims that are filed with the Liquidator that have not become absolute because of the existence of a contingency which must occur in order for the claim to become absolute.

10. If a claim is filed before the claims filing deadline that is contingent and later becomes absolute before or after the claims filing deadline, including the provision of any other information required by the Liquidator, a NOD is issued.

11. If a claim is contingent and becomes absolute after the claims filing deadline and the claimant then files a proof of claim setting forth all the requirements of Section 538 as soon as reasonably possible after it became absolute, the Liquidator for good cause under Section 537(b)

may permit the claimant to share in the distributions as if the claim was not late, to the extent that any such payment will not prejudice the orderly administration of the liquidation. Whether or not good cause is shown to excuse the late filed contingent claim, the Liquidator will issue a NOD when the contingent claim becomes absolute.

12. For purposes of this Application, the Liquidator sets forth the following defined terms. Definitions may include defined terms. Defined terms are capitalized.

POC — A “POC” is a proof of claim form distributed by the Liquidator in connection with the liquidation of R&Q Re. Multiple proofs of claim are designated as “POCs”.

CONTINGENT CLAIM — A “Contingent Claim” is a claim involving a demand that is based on a legal cause of action or an instituted legal action that is reported to the Liquidator prior to the Bar Date under a POC that includes one or more of the following features: (a) demands that are not capable of becoming absolute by the Bar Date due to contingent matters that extend beyond the Bar Date; and/or (b) an instituted legal action where the liability has not been determined or the amount thereof liquidated by the Bar Date, and thus these claims are not absolute as required by Section 538 of the Act.

ABSOLUTE — “Absolute” means that claimants have provided to the Liquidator sufficient information and documentation describing the facts of the claim, including but not limited to: (a) a detailed statement describing the claim; (b) a detailed statement describing the dollar value of the claim; (c) documents evidencing damage; and (d) all other information or documents helpful to proving the claim, including any other information required by the Liquidator, all as required by Section 538 of the Act and the instructions on the POC form. When the POC is absolute, a NOD is issued.

Status of the Claims in the R&Q Estate

13. Between March 23, 2023, and March 23, 2024, the Liquidator has received 640 completed POCs. Only 5 of the POCs have been received since the claims filing deadline of September 29, 2023. Of those 5 POCs, 2 POCs were received after the deadline due to mail

delivery delays, 2 POCs were received from a creditor for claims that were not included in the POCs they filed before the deadline, and 1 POC for unpaid legal fees was filed by a law firm that was on the list of creditors that were sent notice of the liquidation in April 2023. This latter POC was filed on January 25, 2024, and was the last POC received as of the date of the filing of this application.

Claims Arising From Assumed Reinsurance

14. R&Q Re was in the reinsurance business and did not write any direct insurance to policyholders. Accordingly, there are no policyholder claims in this liquidation,¹ and there is no guaranty association involvement.² The claims filed against R&Q Re, therefore, are claims from insurance companies which ceded business to R&Q Re that seek to recover the reinsurance obligations assumed by R&Q Re. These claims are class “e” general creditor claims under Section 544 of the Act and applicable case law. (See Alabama Ins. Guar. Assoc. v. Reliance Ins. Co. in Liquidation, 100 A.3d 702 (Pa. Commw. 2014), *aff’d. per curiam*, 121 A.3d 954 (Pa. 2015); CSAC Excess Ins. Auth. v. Reliance Ins. Co., No. 1 REL 2007 (Pa. Commw. Nov. 8, 2012), *aff’d.* 78 A.3d 1058 (Pa. 2013); Consedine v. Reliance Ins. Co., 35 A.3d 1232, 1240 (Pa. Commw. 2011); Koken v. Reliance Ins. Co., No. 269 N.D. 2001, Slip Op. at 4-5 (Pa. Commw. Dec. 8, 2005)).

15. As a reinsurer, R&Q Re’s customer base consisted of large, sophisticated insurance companies which had ceded business to R&Q Re. Being regulated entities themselves, this group of creditors understand the insurance company liquidation process, including the importance of

¹ Policyholder claims fall within class “b” under Section 544 of the Act.

² The legislatures of all 50 states have enacted legislation to create guaranty associations within their respective states to protect their state’s policyholders against a member insurer’s failure to perform contractual obligations resulting from liquidation and insolvency. Accordingly, the guaranty associations provide a safety net for policyholders of failed insurers. The guaranty associations do not cover reinsurance claims.

filing a timely POC, such that it is unlikely that any such creditors with claims have not yet filed a POC.

16. Moreover, prior to liquidation, R&Q Re was engaged in a run-off plan for approximately 30 years that substantially wound down its liabilities through commutations negotiated with its ceding company clients, thus limiting the potential pool of claimants in the liquidation. As a result, at the date of the Liquidation Order, there were no reinsurance contracts in force, with the last such contract having expired in 1995.

17. In summary, because of the type of business R&Q Re wrote and the lengthy period of run-off preceding liquidation, and the receipt by the Liquidator of only 5 POCs since the claim filing deadline, it is reasonable to conclude that the vast majority, if not all, of the R&Q Re estate's claims have already been filed.

Reasons for Seeking a Bar Date

18. Although the R&Q Re estate has only been open for a little more than a year, the Liquidator has determined that it is time to seek the Court's approval of a final date after which no POCs will be permitted (i.e., the Bar Date). Some of the reasons for the Liquidator's determination are unique to a run-off reinsurance company such as R&Q Re, as detailed in paragraphs 15 through 17 above. There are additional reasons as well, which include the following.

19. Notwithstanding the conclusion mentioned in paragraph 17, unless a Bar Date is established, the Liquidator cannot know, with absolute certainty, at what point in time all POCs have been filed. This can lead to an unnecessary extension of the estate's life cycle solely to determine if any untimely claims will be filed.

20. Furthermore, the longer the estate remains open, the more administrative expenses are incurred, which further decreases the distribution percentage to be received by those claimants that timely filed a claim and are waiting for a distribution from the estate.

21. The only potential claimants who would not file a POC by the Bar Date, or who will be unable to submit documents supporting their claims by the Bar Date, will be potential claimants who cannot meet the requirements in Section 538 of the Act for filing an Absolute Claim. It is inequitable to delay for a significant period the distribution of the estate's assets to the vast majority of creditors for the benefit of a small number of "potential" future creditors, who may or may not have claims develop after the Bar Date.

22. For these reasons, the order establishing a Bar Date ("the Bar Date Order") should, with respect to claims to which the Bar Date applies, preclude the filing of claims after the Bar Date for any reason, including, without limitation, a reason constituting "good cause" under Section 537 of the Act, including but not limited to Contingent Claims.

23. If a POC filed before the Bar Date asserts a claim that does not involve a demand that is based on a legal cause of action or a claim that does not involve an instituted legal action and the claimant cannot provide the Liquidator with the requirements of Section 538 of the Act prior to the Bar Date, the Bar Date Order should disallow that POC.

24. The Bar Date should apply to all claims arising out of actions or omissions (including representations concerning reinsurance contracts) of R&Q Re, its officers, employees, agents, and representatives prior to liquidation or arising out of any contracts entered into by R&Q Re prior to liquidation. It should further apply to all claims arising out of post-liquidation actions or omissions (including representations concerning reinsurance contracts) of R&Q Re, the Liquidator or their officers, employees, agents and representatives (including, but not limited to,

attorneys, auditors, actuaries, accountants, consultants and other professionals, whether employees or independent contractors), or arising out of post-liquidation contracts entered into by R&Q Re or the Liquidator, as long as those actions, omissions or breaches of contract occurred prior to the Bar Date. If a claim first arises within the thirty (30) days prior to the Bar Date, the filing of a POC should be allowed after the Bar Date but only within thirty (30) days of when the claim arose.

25. The Bar Date should not apply to routine administrative expense claims. However, the claims to which the Bar Date would apply include claims allegedly arising out of or based in any way on the conduct of the liquidation proceedings, and the effects of the Liquidation Order, even if such claims could possibly be characterized as administrative expense claims.

26. The Bar Date would not apply to, or affect in any way, claims, actions, or rights of R&Q Re or the Liquidator.

27. The Bar Date Order should provide that neither the establishment of a Bar Date nor the recognition of certain exceptions to the preclusive effect of the Bar Date constitutes the waiver of any defenses to individual POCs, including any defenses otherwise based on the untimeliness of the claims.

28. The entry of the Bar Date Order should not be viewed as an occasion for a claimant to refile or reargue a claim that has previously been submitted. Accordingly, the Bar Date Order should provide that the filing of duplicate POCs is neither required nor permitted and that the Liquidator shall disallow duplicative claims without further consideration of their merits.

29. The Liquidator requests that the Court establish the Bar Date at the earliest possible time and that the Bar Date be no more than 90 days after the Order setting that date.

30. The Liquidator seeks this Court's approval of a POC form that can be provided to R&Q Re's claimants upon request after receipt of any Notice this Court approves regarding the

establishment of a claims bar date for R&Q Re. The proposed POC form is attached hereto as Exhibit C.

31. Notwithstanding any approval this Court may grant of the proposed POC form attached hereto as Exhibit C, the Liquidator will continue to review claims received by the Liquidator filed on the original POC form for the R&Q Re estate up to any date this Court may establish as a claims bar date for R&Q Re.

32. Accordingly, the Liquidator requests that the Court enter the proposed Order attached hereto, which in addition to establishing the Bar Date, also approves the form, scope and mailing of the Notice of the Bar Date Order attached to this Application as Exhibit "A", the form of Publication Notice of the Bar Date Order attached to this Application as Exhibit "B", and the POC form attached to this Application as Exhibit "C".

33. In support of his request for a Bar Date Order, the Liquidator would note that this Court has approved eleven prior requests for a Bar Date Order in other liquidation proceedings, specifically the PHICO Insurance Company liquidation, the Rockwood Insurance Company liquidation, the Westmoreland Insurance Company liquidation, the First Sealord Surety, Inc., liquidation, the Legion Insurance Company liquidation, the Villanova Insurance Company liquidation, the Commonwealth Insurance Company liquidation, the Reliance Insurance Company liquidation, the Excalibur Reinsurance Corporation liquidation, the Lincoln General Insurance Company liquidation, and the Healthcare Providers Insurance Exchange liquidation.

WHEREFORE, the Liquidator respectfully requests the entry of the proposed Order in the form attached hereto establishing a Bar Date, approving the form, scope and mailing of the Notice of the Bar Date Order attached to this Application as Exhibit "A", the form of Publication

Notice of the Bar Date Order attached to this Application as Exhibit “B”, and the Proof of Claim form that is attached to this Application as Exhibit “C”.

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
901 North 7th Street
Harrisburg, PA 17102
(717) 886-2080

*Attorney for Michael Humphreys, Insurance
Commissioner of the Commonwealth of
Pennsylvania, in his capacity as Statutory Liquidator
of R&Q Reinsurance Company, In Liquidation*

Dated: March 26, 2024

EXHIBIT A

EXHIBIT A

**NOTICE OF THE CLAIMS BAR DATE
FOR R&Q REINSURANCE COMPANY (IN LIQUIDATION)**

On _____, 2024, the Commonwealth Court of Pennsylvania entered an Order establishing a claims bar date in connection with the liquidation of R&Q Reinsurance Company (In Liquidation) (“R&Q Re”).

The Court’s Order provides in pertinent part as follows:

<u>ORDER</u>

1. The date ninety (90) days after the date of this Order is hereby established as a claims bar date (“Bar Date”).
2. Any and all claims against R&Q Re, against the Liquidator, his agents and representatives, or in any way affecting or seeking to affect any assets of R&Q Re, wherever or however such assets may be owned or held, directly or indirectly, must be filed with the Liquidator no later than the Bar Date.
3. The Proof of Claim form attached as Exhibit C to the Bar Date Application is approved. Claimants requiring a Proof of Claim form should contact the Liquidator as indicated below. Notwithstanding the approval of the Proof of Claim form attached to the Bar Date Application as Exhibit C, a Proof of Claim received on the original Proof of Claim form for the R&Q Re estate shall be reviewed by the Liquidator and will be subject to the terms of this Order.
4. A Proof of Claim shall be deemed filed on the day it is received by the Liquidator, unless first class mail is utilized, in which case it will be deemed filed on the date of the postmark.

5. Any Proof of Claim filed after the Bar Date is untimely and shall be disallowed by the Liquidator without consideration of its merits. This Order bars the filing of any such Proof of Claim after the Bar Date for any reason, including, without limitation, a reason constituting “good cause” under the late claims provisions of Article V of the Insurance Department Act of 1921, the discovery of information not previously known, and the fact that a claim was previously unmatured or contingent. If a Proof of Claim filed before the Bar Date asserts a claim that does not involve a demand that is based on a legal cause of action or a claim that does not involve an instituted legal action and the claimant cannot provide the Liquidator with the requirements of Section 538 of the Act prior to the Bar Date, that claim is barred by this Order. Notwithstanding the foregoing, if a claim first arises within the thirty (30) days prior to the Bar Date, the filing of a Proof of Claim is allowed after the Bar Date but only within thirty (30) days of when the claim arose.
6. The establishment of the Bar Date does not constitute the waiver of any defenses to individual Proofs of Claim. Any and all defenses to such claims remain available to R&Q and the Liquidator, including defenses otherwise based on the untimeliness of the claims.
7. The Bar Date does not apply to, or affect in any way, claims, actions or rights of R&Q or the Liquidator.
8. The establishment of the Bar Date is not an opportunity to refile or reargue a claim previously filed with R&Q, and duplicative Proofs of Claim shall not be submitted. If duplicative Proofs of Claim are filed contrary to this Order, the Liquidator shall disallow them without further consideration of their merits.

9. The Bar Date shall not apply to routine administrative expense claims.
10. The mailing Notice is hereby approved. The Liquidator shall mail by first class mail, as soon as practicable after receipt of this Order, a copy of the mailing Notice to all creditors and potential creditors or claimants of R&Q as of the date of the Liquidation Order (March 23, 2023).
11. The publication Notice attached to the Bar Date Application as Exhibit B is hereby approved. The Liquidator shall cause a copy of the publication Notice to be published once in a newspaper of general circulation where R&Q has its principal place of business, and once in a national publication, such as Business Insurance, within thirty (30) days of the date of this Order.

Proof of Claim forms may be obtained by sending a request in writing to:

Proof of Claim Department
Statutory Liquidator of R&Q Reinsurance Company
PA Insurance Department
901 North 7th Street, 3rd Floor
Harrisburg, PA 17102

Or call:

717-787-7823

Or email:

ra-in-claims@pa.gov

Please request a separate claim form for each claim that you wish to file.

**YOUR COMPLETED PROOF OF CLAIM MUST BE FILED BY _____
2024, OR IT WILL BE FOREVER BARRED UNLESS YOUR CLAIM COMES WITHIN
AN EXCEPTION PROVIDED FOR IN THE COURT'S ORDER.**

EXHIBIT B

EXHIBIT B

PUBLICATION NOTICE OF THE CLAIMS BAR DATE FOR R&Q REINSURANCE COMPANY (IN LIQUIDATION)

NOTICE
TO THE POLICYHOLDERS, CLAIMANTS, CREDITORS AND
ALL OTHER PERSONS INTERESTED IN THE
AFFAIRS OF
R&Q REINSURANCE COMPANY (IN LIQUIDATION)

NOTICE IS HERBY GIVEN THAT:

R&Q Reinsurance Company (In Liquidation) (“R&Q”) was placed into Liquidation by Order of the Commonwealth Court of Pennsylvania, effective March 23, 2023 (the “Liquidation Order”). The Liquidation Order appointed the Insurance Commissioner of the Commonwealth of Pennsylvania as Statutory Liquidator of R&Q and vested him with title to all the property, assets, contracts, and rights of action of R&Q.

On March 26, 2024, the Liquidator filed in the Commonwealth Court of Pennsylvania an Application to Establish a Claims Bar Date for R&Q. On _____, 2024, the Commonwealth Court entered an Order granting the Application and setting a Claims Bar Date of _____, 2024.

Therefore, all persons who may have a claim against R&Q, against the Liquidator, her agents or representatives, or in any way affecting or seeking to affect any of the assets of R&Q, wherever or however such assets may be owned or held, directly or indirectly, must file a Proof of Claim by the Claims Bar Date of _____, 2024, or the claim will be forever barred.

You may obtain a free copy of the Proof of Claim form by writing to Proof of Claim Department, Statutory Liquidator of R&Q Reinsurance Company, Pennsylvania Insurance Department, 901 North 7th Street, 3rd Floor, Harrisburg, PA 17102, or calling the Liquidator at 717-787-7823 or send an email to: ra-in-claims@pa.gov.

EXHIBIT C



FOR OFFICE USE ONLY

PROOF OF CLAIM
IN THE MATTER OF
R&Q REINSURANCE COMPANY (IN LIQUIDATION) (R&Q)
Deadline for filing

PROOF OF CLAIM NO. _____
DATE RECEIVED: _____

DO NOT FILE A PROOF OF CLAIM IF YOU HAVE ALREADY FILED A PROOF OF CLAIM

READ ALL MATERIALS CAREFULLY BEFORE COMPLETING THIS FORM – COMPLETE ALL SECTIONS
FILL IN ALL BLANKS - PLEASE PRINT CLEARLY OR TYPE

	Make corrections to Name & Address below
	Claimant Name: _____
	Address 1: _____
	Address 2: _____
	City: _____ State: _____ Zip Code: _____ Ct
	Social Security /E.I.N. #: _____ e-mail: _____
	Daytime Phone #: (include area code) _____

Claim is for (check X or specify below)

1	POLICYHOLDER or THIRD PARTY CLAIM	Claim by insured of R&Q under a R&Q policy for POLICY BENEFITS or liability claim against an insured of R&Q for POLICY BENEFITS.
2	RETURN of UNEARNED PREMIUM or OTHER PREMIUM REFUNDS	Portion of paid premium not earned due to early cancellation of policy or retro or audit adjustment.
3	GENERAL CREDITOR	Such as Attorney fees, Adjuster fees, Vendors, Lessors, Consultants, Cedents and Reinsurers.
4	AGENTS' BALANCES	Agents' Earned Commissions.
5	ALL OTHER	Describe _____.

In the space below give a Concise Statement of the Facts giving rise to your claim. Attach additional sheets if required. _____

AMOUNT OF CLAIM: \$ _____

Is there OTHER INSURANCE that may cover this claim? Yes () No ()
If YES provide name of insurer(s) and policy number(s): _____

Does an ATTORNEY REPRESENT you? Yes () No () If YES provide attorney's name, address & telephone number: _____

Has a Lawsuit or other LEGAL ACTION been instituted by anyone regarding this claim? Yes () No () If YES provide the following:
Court Where Filed: _____
DATE FILED & DOCKET NUMBER: _____
PLAINTIFF(S): _____
DEFENDANT(S): _____

I verify that the statements made in this proof of claim are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 19 Pa. C.S. §4904 (relating to unsworn falsification to authorities).

If the foregoing Proof of Claim alleges a claim against a R&Q insured (third party claim), the undersigned hereby releases any and all claims which have been or could be made against such R&Q insured based on or arising out of the facts supporting the above Proof of Claim up to the amount of the applicable policy limits and subject to coverage being accepted by the Liquidator, regardless of whether any compensation is actually paid to the undersigned.

Claimant Signature

Date

DO NOT FILE A PROOF OF CLAIM IF YOU HAVE ALREADY FILED A PROOF OF CLAIM

INSTRUCTIONS FOR COMPLETING PROOF OF CLAIM FORM

This proof of claim form must be completed and returned. **Failure to return the completed form will result in the denial of your claim.** Please fill in all of the applicable blanks. Attach additional sheets as required. In the event you do not know certain information, please write "unknown". You may supplement your claim later when you have more information, provided you do so promptly after you obtain the information. Please print legibly in ink or type. The form may be duplicated. You are advised to keep a completed copy for your records. The following is some specific additional instruction for certain types of claims. For more information on these types of claims, please refer to the enclosed booklet.

1. If your claim is that of a **GENERAL CREDITOR** including claims for reinsurance, please complete Section II, sign where indicated and attach supporting documentation such as all outstanding invoices.
2. If your claim is for the **AGENT BALANCES**, please complete Section II, sign where indicated and attach a complete accounting by policy/contract supporting your claim.
3. If you have **ANY OTHER** type of claim, describe your claim, i.e., stockholder, employee, taxes, license fees, assessments, etc. Please attach documentation supporting your claim.

The right (but not the obligation) to request additional supporting information is retained by the Liquidator. The failure to promptly provide such additional information may result in the denial of your claim.

The proof of claim form must be signed by the claimant and must contain the claimant's current address and zip code. No claim can be considered for payment without a social security number or tax identification number. Where applicable, the name and address as well as the telephone number of the claimant's attorney, if any, must be shown. The following address should be used only to submit proof of claim forms and supporting documentation:

R&Q Re POC Administrator
c/o A.G. Risk Management, Inc.
3 Batterymarch Park
Suite 101
Quincy, MA 02169
Phone: 877-624-9779

NOTE: This form must be received no later than [REDACTED].

CHANGE OF ADDRESS

You are required by Article V of the Insurance Department Act to notify the Statutory Liquidator of your change of address. If you fail to do so you may jeopardize your chance of recovery from this estate.

**INFORMATION REGARDING CLAIMS AGAINST THE ESTATE OF R&Q REINSURANCE INSURANCE
COMPANY (IN LIQUIDATION)**

After all claims against this company are evaluated by the Statutory Liquidator and approved by the Court, approved claims will be paid by priority level based on available funds in accordance with 40 P.S. Section 221.1 et seq. The amount of the payment will depend on the assets available. The amount to be paid on an individual claim, if any, will not be known until all claims are evaluated. In any event, payment will not be made for several years.

The Statutory Liquidator's receipt of this proof of claim form does not constitute any waiver or relinquishment by the Statutory Liquidator of any defense, setoff, or counterclaim that may exist against any person, entity, or governmental agency, regarding any action pursued by the Statutory Liquidator of R&Q Reinsurance Company on behalf of R&Q Reinsurance Company (in Liquidation) claimants and creditors.

**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. #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 Michael Humphreys, Insurance
Commissioner of the Commonwealth of
Pennsylvania, in his capacity as Statutory
Liquidator of R & Q Reinsurance Company,
In Liquidation*

Dated: March 26, 2024

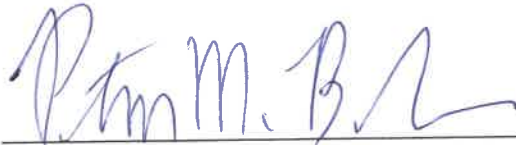
CERTIFICATE OF SERVICE

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 e-service or email as follows:

Gaetan J. Alfano, Esq.
GJA@Pietragallo.com
Pietragallo Gordon Alfano Bosick & Raspanti, LLP.
1818 Market Street, Suite 3402
Philadelphia, PA 19103
(215) 988-1441

Steven B. Davis, Esq.
SBDavis@duanemorris.com
Duane Morris LLP
30 South 17th Street
Philadelphia, PA 19103-4196
(215) 979-1275



PRESTON M. BUCKMAN (I.D. #57570)
Insurance Department Counsel
pbuckman@pa.gov
Office of Liquidations Rehabilitations & Special Funds
Governor's Office of General Counsel
901 North 7th Street
Harrisburg, PA 17102
(717) 886-2049

*Attorney for Michael Humphreys, Insurance Commissioner
of the Commonwealth of Pennsylvania, in his capacity as
Liquidator of R&Q Reinsurance Company, In Liquidation.*

Dated: March 26, 2024

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: R&Q Reinsurance Company

:
:
:

No. 1 RQR 2023

ORDER

AND NOW, this ____ day of _____, 2024, upon consideration of the Application to Establish a Claims Bar Date (“Bar Date Application”) filed by Michael Humphreys, Insurance Commissioner of the Commonwealth of Pennsylvania, in his capacity as Statutory Liquidator (“Liquidator”) of R&Q Reinsurance Company (“R&Q Re”), the Bar Date Application is GRANTED and it is hereby ORDERED as follows:

1. The date ninety (90) days after the date of this Order is hereby established as a claims bar date (“Bar Date”).

2. Any and all claims against R&Q Re, against the Liquidator, his agents, and representatives, or in any way affecting or seeking to affect any assets of R&Q, wherever or however such assets may be owned or held, directly or indirectly, must be filed with the Liquidator no later than the Bar Date.

3. The Proof of Claim form attached as Exhibit C to the Bar Date Application is approved. Claimants requiring a Proof of Claim form should contact the Liquidator as indicated at the end of the Notice of the Bar Date Order, which is Exhibit A of the Bar Date Application. Notwithstanding the approval of the Proof of Claim form attached to the Bar Date Application as Exhibit C, a Proof of Claim received on the original Proof of Claim form for the R&Q Re estate shall be reviewed by the Liquidator and will be subject to the terms of this Order.

4. A Proof of Claim shall be deemed filed on the day it is received by the Liquidator, unless first class mail is utilized, in which case it will be deemed filed on the date of the postmark.

5. Any Proof of Claim filed after the Bar Date is untimely and shall be disallowed by the Liquidator without consideration of its merits. This Order bars the filing of any such Proof of Claim after the Bar Date for any reason, including, without limitation, a reason constituting “good cause” under the late claims provisions of Article V of the Insurance Department Act of 1921, the discovery of information not previously known, and the fact that a claim was previously unmatured or contingent. If a Proof of Claim filed before the Bar Date asserts a claim that does not involve a demand that is based on a legal cause of action or a claim that does not involve an instituted legal action and the claimant cannot provide the Liquidator with the requirements of Section 538 of the Insurance Department Act prior to the Bar Date, that claim is barred by this Order. Notwithstanding the foregoing, if a claim first arises within the thirty (30) days prior to the Bar Date, the filing of a Proof of Claim should be allowed after the Bar Date but only within thirty (30) days of when the claim arose.

6. The establishment of the Bar Date does not constitute the waiver of any defenses to individual Proofs of Claim. Any and all defenses to such claims remain available to R&Q Re and the Liquidator, including defenses otherwise based on the untimeliness of the claims.

7. The Bar Date does not apply to, or affect in any way, claims, actions, or rights of R&Q Re or the Liquidator.

8. The establishment of the Bar Date is not an opportunity to refile or reargue a claim previously filed with R&Q Re, and duplicative Proofs of Claim shall not be submitted. If duplicative Proofs of Claim are filed contrary to this Order, the Liquidator shall disallow them without further consideration of their merits.

9. The Bar Date shall not apply to routine administrative expense claims.

10. The mailing Notice attached as Exhibit A to the Bar Date Application is hereby approved. The Liquidator shall mail by first class mail, as soon as practicable after receipt of this Order, a copy of the mailing Notice to the creditors and potential creditors or claimants of R&Q Re as of the date of the Liquidation Order (March 23, 2023).

11. The publication Notice attached to the Bar Date Application as Exhibit B is hereby approved. The Liquidator shall cause a copy of the publication Notice to be published once in a newspaper of general circulation where R&Q has its principal place of business and once in a national publication, such as Business Insurance, within thirty (30) days of the date of this Order.

Stacy Wallace, Judge