

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: R&Q Reinsurance Company :
In Liquidation : No. 1 RQR 2023

Re: Liquidator's Application to Establish a Claims Bar Date

ORDER

NOW, May 3, 2024, upon consideration of the Application to Establish a Claims Bar Date (Application) filed by Michael Humphreys, Insurance Commissioner of the Commonwealth of Pennsylvania, in his capacity as Statutory Liquidator of R&Q Reinsurance Company (R&Q), and having received no responses or objections to the Application, the Application is GRANTED as follows:

1. August 1, 2024, is established as the Claims Bar Date.
2. Any and all claims against R&Q, the Liquidator, his agents, and representatives, or any claim that could affect the 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 Claims Bar Date.

3. A claim must be filed by means of a completed Proof of Claim form, together with proper proofs supporting the claim. The Proof of Claim form attached as Exhibit C to the Application is approved and should be used by any claimant who files a claim after the date of this Order. Notwithstanding the foregoing, a Proof of Claim received on the original Proof of Claim form for the R&Q estate shall be reviewed by the Liquidator and will be subject to the terms of this Order. Claimants requiring a Proof of Claim form should contact the Liquidator

as indicated at the end of the Notice of the Claims Bar Date, attached as Exhibit A to the Application.

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 Claims 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 Claims Bar Date for any reason, including, without limitation, a reason constituting “good cause” under the late claim provisions of Section 537 of Article V of The Insurance Department Act of 1921,¹ 40 P.S. § 221.37, the discovery of information not previously known, or the fact that a claim was previously unmaturing or contingent. Any claim that does not ripen into a legal cause of action prior to the Claims Bar Date is barred, even though the claimant filed a Proof of Claim before the Claims Bar Date. Notwithstanding the foregoing, if a claim ripens into a legal cause of action within 30 days prior to the Claims Bar Date, a timely Proof of Claim may be filed within 30 days thereafter.

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

¹ Act of May 17, 1921, P.L. 789, *as amended*. Article V was added by the Act of December 14, 1977, P.L. 280.

8. The establishment of the Claims 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 Claims Bar Date shall not apply to routine administrative expense claims.

10. The Notice of the Claims Bar Date, attached as Exhibit A to the Application, shall be revised to conform to the provisions of this Order. The Liquidator shall mail by first class mail, as soon as practicable after receipt of this Order, a copy of the revised Notice of the Claims Bar Date to the creditors and potential creditors or claimants of R&Q as of March 23, 2023, the date of the Liquidation Order.

11. The Publication Notice of the Claims Bar Date, attached as Exhibit B to the Application, is 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 30 days of the date of this Order.

s/ *Stacy Wallace*

Stacy Wallace, Judge