

Docket Number: 1696

~~*ALLSTATE LIFE INSURANCE COMPANY AND FIRST COLONY LIFE INSURANCE
COMPANY~~

Christopher A. Lewis, Esquire

VS.

COMMONWEALTH OF PENNSYLVANIA
**GOVERNOR'S OFFICE, MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS
FUND

Milan K. Mrkobrad, Chief Counsel
Marybeth S. Christiansen, Esquire

December 21, 1992

Claim and filing fee filed by attorney for Plaintiff. Amount of Claim: \$559,403.38.

January 8, 1993

Copy of Claim forwarded to attorney for Defendant and Chief Deputy Attorney General.

January 14, 1993

Answer with New Matter of Respondent Medical Professional Liability Catastrophe Loss Fund filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

January 15, 1993

Acceptance of Service of Claim received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant January 12, 1993.

February 1, 1993

Answer to New Matter filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

February 18, 1993

Praecipe to Discontinue Claim of Allstate Life Insurance Company filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

March 1, 1993

Motion of Respondent, Medical Professional Liability Catastrophe Loss Fund for Judgment on the Pleadings and Brief of Medical Professional Liability Catastrophe Loss Fund in Support of Its Motion for Judgment on the Pleadings filed by attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

March 25, 1993

Response of First Colony Life Insurance Company to Respondent's Motion for Judgment on the Pleadings, Brief in Support and Proposed Order filed by attorney for Plaintiff. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

May 20, 1993

Reply Brief of Medical Professional Liability Catastrophe Loss Fund in Support of its Motion for Judgment on the Pleadings filed by

attorney for Defendant. Copy forwarded to attorney for Plaintiff by attorney for Defendant.

July 8, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 8th day of July, 1993, the request of the Respondent, Commonwealth of Pennsylvania, Governor's Office, Medical Professional Liability Catastrophe Loss Fund, in the nature of a Motion for Judgment on the Pleadings is hereby **DENIED**. The parties are directed to continue with their discovery with dispatch so that this case can be listed for trial by the Board and an appropriate judgment rendered." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

***July 8, 1993**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 8th day of July, 1993, in consideration of the Praecipe to Discontinue Claim of Allstate Life Insurance Company, as filed by Christopher A. Lewis, attorney for Claimants, to dismiss its claim against the Commonwealth of Pennsylvania, Medical Professional Liability Catastrophe Loss Fund, said request is hereby **GRANTED**, and Allstate Life Insurance Company's' Claim shall be marked 'discontinued, closed and ended with prejudice'. The caption shall hereinafter read as follows: FIRST COLONY LIFE INSURANCE COMPANY VS. COMMONWEALTH OF PENNSYLVANIA, MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

July 20, 1993

Acceptance of Service of two opinions and orders dated July 8, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff July 16, 1993.

July 20, 1993

Acceptance of Service of two opinions and orders dated July 8, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant July 15, 1993.

July 27, 1993

Letter received from Plaintiff requesting the Board deny Defendant's request for reconsideration of the Board's Opinion and Order denying the Motion for Judgment on the Pleadings dated July 8, 1993. Copy forwarded to attorney for Defendant by attorney for Plaintiff.

****September 10, 1993**

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 10th day of September, 1993, in due consideration of the Praecipe to Discontinue Claim of Allstate Life Insurance Company, as filed by Christopher A. Lewis, attorney for Claimants, to dismiss its Claim against the Commonwealth of Pennsylvania, Governor's Office, Medical Professional Liability Catastrophe Loss Fund, said request is hereby **GRANTED**, and Allstate Life Insurance Company's Claim shall be marked 'discontinued, closed and ended with prejudice'. The caption shall hereinafter read as follows to reflect this Amended Order: FIRST COLONY LIFE INSURANCE COMPANY VS. COMMONWEALTH OF PENNSYLVANIA, GOVERNOR'S OFFICE, MEDICAL PROFESSIONAL LIABILITY CATASTROPHE LOSS FUND." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

September 20, 1993

Acceptance of Service of Amended Order dated September 10, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant September 15, 1993.

September 22, 1993

Acceptance of Service of Amended Order dated September 10, 1993 received from attorney for Plaintiff. Receipt of same acknowledged by attorney for Plaintiff September 15, 1993.

September 30, 1993

The Board rendered an Opinion and made the following Order: "**AND NOW**, this 30th day of September, 1993, the Motion of the Defendant, Commonwealth of Pennsylvania, Governor's Office, Medical Professional Liability Catastrophe Loss Fund, for Reconsideration is **DENIED**." Copy forwarded to attorney for Plaintiff and attorney for Defendant.

October 8, 1993

Acceptance of Service of Opinion and Order dated September 30, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 5, 1993.

October 12, 1993

Acceptance of Service of Opinion and Order dated September 30, 1993 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant October 5, 1993.

December 19, 1994

Order to Dismiss with Prejudice filed by attorney for Plaintiff.

Copy forwarded to attorney for Plaintiff and attorney for Defendant.

December 22, 1994

The Board made the following Order: "**AND NOW**, this 22nd day of December, 1994 upon receipt of an Order to Dismiss with Prejudice, same of which was filed by Christopher A. Lewis, attorney for Plaintiff, Allstate Life Insurance Company and First Colony Life Insurance Company, and docketed with this Board under date of December 19, 1994, advising as follows: "Please mark the above action dismissed with prejudice." It is **ORDERED** and **DIRECTED** that said case be marked "settled, discontinued and ended with prejudice."

January 5, 1995

Acceptance of Service of Order dated December 22, 1994 received from attorney for Plaintiff. Receipt of same acknowledged by attorney fro Plaintiff January 3, 1995.

January 9, 1995

Acceptance of Service of Order dated December 22, 1994 received from attorney for Defendant. Receipt of same acknowledged by attorney for Defendant December 28, 1994.