

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Bedivere Insurance Company :
(In Liquidation) : No. 1 BIC 2021

Re: Liquidator's Application for Approval of Records Retention and Records
Destruction Guidelines

ORDER

NOW, this 13th day of June, 2025, upon consideration of the Statutory Liquidator's Application for Approval of Records Retention and Records Destruction Guidelines (Application), to which no objections have been filed, it is ORDERED that the Application is GRANTED, the Record Retention Guidelines attached to this Order are APPROVED, and the Liquidator is authorized to retain and destroy records in accordance therewith.



ANNE E. COVEY, Judge

Bedivere Insurance Company (In Liquidation) Record Retention Guidelines

These guidelines apply to all records (current and future) of Bedivere Insurance Company (in Liquidation) (“Bedivere”), that are in the custody of its current record vendors, Iron Mountain and Access, and primary service provider, A.G. Risk Management, Inc. (“Bedivere Records Holders”). These guidelines do not apply to: (1) records in the possession of a Guaranty Association, an insured or its agents, or third parties other than those listed above; or (2) any materials that do not relate in any manner to Bedivere and are created, used and/or stored on a personal device or other personal medium.

I. Records Not in The Care, Custody and Control of Bedivere Records Holders

A. If Bedivere records are retained or maintained by a former third-party administrator or program manager, that party will be advised of these guidelines as approved by the Commonwealth Court.

B. If Bedivere is advised by a former third-party administrator or program manager that records have been damaged or destroyed or their location cannot be identified, a written statement will be requested from that party which explains the unavailability of the records.

II. Electronic Media

A. Hardcopies of records may be converted to electronic or other durable, paperless media for the purpose of retention.

i. The methodology used to convert the records must be documented through written procedures.

ii. Converted records must be readily accessible and usable for review and other purposes.

iii. The maintenance of records in a non-hardcopy media must be archival in nature, to preclude the alteration of the record after the initial conversion.

B. Utilization of archival media will require implementation of practices to ensure that the integrity of the data is maintained and that the ability to extract the data in a human readable format is present for the entire retention period.

III. Record Retention Periods

A. Bedivere records will be retained consistent with the minimum retention requirements established by applicable laws, regulations, and authorities, including the Internal Revenue Service.

B. Subject to certain exceptions for electronic back-up records, duplicates and software licenses, records not governed by a specific retention period will be retained for at least the 7-year general record retention period which complies with the

statutorily required guidelines for insurance companies in Pennsylvania or up until Bedivere's Court approved discharge date, as appropriate.

C. Whenever Bedivere is made aware of any pending, anticipated, or potential litigation, government investigation, audit, subpoena, or administrative proceeding, all related or relevant Bedivere records will be retained until the relevant matter(s) are fully resolved and/or finalized. At that time, the records will be retained based on the general record retention schedule.

D. Notwithstanding the above, all records remaining at the time of Bedivere's Court approved Discharge date will be destroyed pursuant to any related Records Destruction Order.

IV. Annual Review and Record Destruction

A. At least annually, the Bedivere Records Administrator will provide department heads with a list of records that are eligible for destruction in the current year.

B. Each department head is responsible for reviewing the list of records and indicating those records eligible for destruction in writing sent to: (1) the Bedivere Liquidation Team (which will include the Chief Liquidation Officer and Chief Claims Officer) and (2) the Records Administrator. Upon receiving the necessary approvals of the Bedivere Liquidation Team, the Bedivere Records Administrator will arrange for and document the actual date of record destruction.

C. Materials that are not required to be maintained as set forth above in section III may be discarded or destroyed at any time during the year. Those materials that are not required to be maintained may include the following:

- i. drafts of documents that have been finalized;
- ii. duplicate records, including electronic files and hardcopies of records stored on electronic media; and
- iii. trade or professional association materials.

Any other records or materials that do not clearly fall into one of the categories above, but appear to be irrelevant, obsolete, or are no longer useful for the administration of the liquidation, may also be discarded or destroyed if appropriately approved by the Bedivere Liquidation Team.

V. Method of Destruction

A. Hardcopy documents containing privileged, confidential or personal information must be destroyed by shredding or incineration. Otherwise, recycling may be selected.

B. Records stored at vendor sites designated for record storage, maintenance, and disposition must be destroyed only after approval by Bedivere and under the

supervision of the vendor with a written confirmation from the vendor that the records have been disposed in the manner requested.