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reviewed w/Judy - orig to RP
cc: Comm/RB/Steve J/FN/Tim V/
file: Gastrointestinal Associates &
PIC Wisconsin (Physicians Insurance Co of WI)

2005 MAY 13 PM 1:09

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May 5, 2005

*Jorge Gomez, Commissioner
Office of Commissioner of Insurance
125 South Webster Street
Madison, WI 53702*

*Subject: PIC Wisconsin Stock Sale to American Physicians Assurance Corporation
(APA)*

Dear Commissioner Gomez,

At this time, I would like to express my opinion in opposition to the sale of stock by PIC Wisconsin to American Physicians Assurance Corporation. Such a sale will have an adverse effect on healthcare access and cost for the citizens of Wisconsin.

To briefly elaborate, my wife and I are both physicians and moved to Wisconsin in 2003, specifically because of the optimal healthcare environment in this state. We came from the state of Ohio, which was in a state of healthcare crisis, mainly due to adverse medical liability environment.

Healthcare in Wisconsin is strong and is attracting the best physicians in the nation. This strength is due to three reasons. One is the existence of the Injured Patients and Families Compensation Fund. A second reason is the existence of medical liability tort reform, such as the non-economic cap on damages. The third pillar to healthcare stability, in this state, is a strong primary medical liability insurance carrier.

All three of these pillars are now threatened with destruction. Governor Doyle continues to attempt to erode the stability of the Injured Patients and Families Compensation Fund. The tort reform statutes are threatened in the Supreme Court of Wisconsin, and the appointment of a new Supreme Court justice may result in the finding of tort reform as unconstitutional. That would leave the medical liability carriers as the sole strength of the healthcare environment in this state. It is for this reason that I appeal to you to consider very carefully this planned stock sale.

PIC Wisconsin is a physician-owned and controlled corporation. It takes the position of doing what is best for the citizens of Wisconsin and not making profits for shareholders. American Physicians Assurance Corporation is a publicly traded stock corporation, and is, of course, beholdng to its shareholders to make profit.

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My concern, and the concern of many other physicians in this state, is that a significant involvement by APA into PIC Wisconsin would result in a weakening of PIC Wisconsin. This will have an ultimate adverse effect on healthcare in this state.

I urge you to rule that this stock sale should not take place.

Thank you very much for allowing me to make this opinion.

Sincerely,

A handwritten signature in cursive script that reads "Christopher J. Magiera, M.D." The signature is written in black ink and is positioned above the printed name.

Christopher J. Magiera, M.D.

CJM:plb