

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

03-E- 0106-

In the Matter of the Rehabilitation of  
The Home Insurance Company

**ORDER GRANTING AMENDMENT TO ORDER APPOINTING REHABILITATOR**

After having heard and considered the facts set forth in the Motion to Amend Order Appointing Rehabilitator and the Commissioner's Verified Petition for Rehabilitation in the above captioned matter, the Court finds that the law and facts are as the Commissioner of Insurance of the State of New Hampshire (the "Commissioner") has alleged in the Motion and the Petition and that there exists a present and urgent necessity for the immediate entry of this order amending the Court's previous Order.

For the reasons set forth in the Rehabilitator's Motion, the Motion is granted, and the Court finds that the determination of the Rehabilitator to seek the amendment requested in the Motion is reasonable and prudent and it is in the best interests of The Home, its policyholders, creditors and the public to amend the Order to lift the stay to permit setoffs by reinsurers as set forth in and in accordance with RSA 402-C:34 and it is hereby ordered that:

Paragraph (g)(7) of the Order Appointing Rehabilitator in the above captioned proceedings, dated March 5, 2003, shall be amended by substituting the following

(7) the setoff of any debt owing to The Home that arose before the commencement of this case against any claim against The Home, provided however, that notwithstanding anything in this Order to the contrary, nothing herein is intended nor shall it be deemed to stay any right of setoff of mutual debts

or mutual credits between The Home and any reinsurer, as provided in and in accordance with RSA 402-C:34.

Date : \_\_\_\_\_  
Time: \_\_\_\_\_

By: \_\_\_\_\_  
Presiding Justice