

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

**In the Matter of the Liquidation of
The Home Insurance Company**

**ORDER ESTABLISHING PROCEDURES FOR REVIEW
OF REINSURANCE COMMUTATION AGREEMENTS**

On consideration of the motion of Paula T. Rogers, Commissioner of Insurance for the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company ("The Home") for an order approving a procedures for review of reinsurance commutation agreements between the Liquidator and reinsurers of The Home, it is hereby ORDERED that the following procedures shall apply to motions by the Liquidator for approval of reinsurance commutation agreements:

1. Any motion for approval of a reinsurance commutation agreement filed by the Liquidator shall attach the proposed agreement as an exhibit with the economic terms of the proposed agreement redacted.

2. A copy of the complete proposed reinsurance commutation agreement, together with an explanation of the Liquidator's reasons for entering the proposed agreement, shall be included in or attached to a confidential affidavit in support of the motion for approval. The confidential affidavit shall be filed with the Court under seal and shall not be served with the motion on persons on the service list.

3. The Liquidator shall file with the motion and serve on all persons on the service list and any other interested persons who have requested such notice a notice of filing that shall state: (a) the motion for approval of reinsurance commutation agreement

has been filed and the date of filing, (b) the motion is supported by a confidential affidavit that has been filed under seal, (c) creditors of The Home (other than reinsurers of The Home) may obtain a copy of the confidential affidavit from the Liquidator, provided that they first enter a confidentiality agreement with the Liquidator to limit use of the information in the confidential affidavit to reviewing, evaluating and commenting upon the proposed commutation agreement and otherwise prohibit disclosure of the information in the confidential affidavit, and (d) notice of any opposition to the motion must be filed with the Court on or before the tenth day from the filing of the motion and that any notice of opposition shall not reveal information from the confidential affidavit.

4. Notice of any opposition to a motion for approval of a reinsurance commutation agreement shall be filed with the Court on or before the tenth day from the filing of the motion. Any notice of opposition shall not reveal information from the confidential affidavit.

5. If no notice of opposition is filed with the Court on or before the tenth day from the filing of the motion for approval of reinsurance commutation agreement, the Court may consider the motion on the papers without a hearing.

6. If a notice of opposition is filed with the Court on or before the tenth day from the filing of the motion for approval of reinsurance commutation agreement, the Court shall schedule a hearing to determine how to proceed.

So Ordered.

Dated: _____

Presiding Justice