

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

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

**AFFIDAVIT OF ERIC A. SMITH IN SUPPORT OF MOTION OF
JOINT PROVISIONAL LIQUIDATOR TO ADMIT COUNSEL PRO HAC VICE**

I, Eric A. Smith having been duly sworn, make this Affidavit in support of the foregoing motion for special admission as co-counsel on behalf of non-party Gareth Howard Hughes, as Joint Provisional Liquidator of The Home Insurance Company (“Joint Provisional Liquidator”), and state as follows:

1. I desire to be specially admitted pro hac vice to the Bar of the State of New Hampshire pursuant to New Hampshire Superior Court Rule 19, as co-counsel for the Joint Provisional Liquidator in In the Matter of The Liquidation of The Home Insurance Company, No. 03-E-0106.

2. I am a director and shareholder of the law firm of Rackemann, Sawyer & Brewster, P.C., One Financial Center, Boston, Massachusetts 02111. My residence address is 44 Pequossette Road, Belmont, Massachusetts 02478. I received my Juris Doctor degree from Stanford Law School in 1985. I was admitted to the Bar of the Commonwealth of Massachusetts on December 18, 1985. I am admitted to practice before the following federal courts:

COURT:

DATE ADMITTED

United States Supreme Court	07/16/93
United States Court of Appeals for the First Circuit	02/07/90
United States Court of Appeals for the District of Columbia Circuit	11/14/89
United States District Court for the District of Massachusetts	07/09/86

3. Since the respective dates of these admissions, I have continued to practice in these courts and have at all times remained a member in good standing of the above listed bars. I presently am not, and never have been, the subject of any formal, written disciplinary proceeding before these, or any other, courts. I have not been denied admission pro hac vice in New Hampshire, had admission pro hac vice revoked in this State, nor have I otherwise been disciplined or sanctioned by any court in this State. I have not been formally held in contempt or otherwise sanctioned by any court in a written order in the last five years for disobedience to its rules or orders.

4. By orders dated June 11, 2003 and July 9, 2004, respectively, this Court and the New Hampshire Supreme Court admitted me pro hac vice to appear and practice before the respective Courts in the above-captioned proceeding and the related liquidation proceeding for US International Reinsurance Company, No. 03-E-0112 on behalf of the Commissioner of Insurance for the State of New Hampshire as Liquidator. Applications for such admission were made by motions filed on May 29, 2003 with this Court at 163 N. Main Street, P.O. Box 2880, Concord, NH 03301 and on July 9, 2004 with the New Hampshire Supreme Court at One Noble Drive, Concord, New Hampshire 03301. On October 15, 2004, I submitted an application for admission to the bar of the State of New Hampshire, which application remains pending.

5. Upon my admission to this Court on behalf of the Joint Provisional Liquidator and pursuant to New Hampshire Superior Court Rule 19, I will be associated in this matter with a member of the Bar of New Hampshire, Thomas M. McHugh, also of Rackemann, Sawyer & Brewster, P.C., who will be present at any hearing in this proceeding involving the Joint Provisional Liquidator.

6. The Joint Provisional Liquidator has asked me to represent him in this proceeding.

7. There is good cause for my special admission to the Bar of the State of New Hampshire.

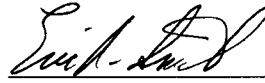
8. My specialization is insurance and insurer insolvency/receivership law, and Rackemann, Sawyer & Brewster, P.C, has been engaged by the Commissioners of Insurance for the Commonwealth of Massachusetts, the State of Vermont and the State of New Hampshire to assist in the rehabilitation and/or liquidation of a number of insurance companies. My familiarity and experience with insurance company receiverships will assist in the present proceeding and benefit the Joint Provisional Liquidator.

9. If specifically admitted to the Bar of this State on behalf of the Joint Provisional Liquidator, I will be admitted solely for the purpose of participating in this particular proceeding.

10. I am willing and able to comply with all rules of this Court relating to admission, professional conduct and civil procedure.

11. No good cause exists to deny my special admission as co-counsel in this matter.

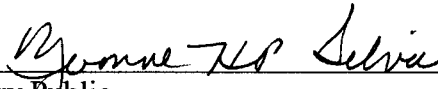
Dated: March 30, 2005



Eric A. Smith
Rackemann, Sawyer & Brewster, P.C.
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Boston, MA 02111
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COMMONWEALTH OF MASSACHUSETTS
COUNTY OF SUFFOLK

Personally appeared before me this 30th day of March, 2005, the above-named Eric A. Smith and swore that the above information is true and correct to the best of his knowledge and belief.



Notary Public

YVONNE H. P. SILVA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
May 12, 2011

