

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

ACE COMPANIES' PROPOSED DISCOVERY SCHEDULE

Respondents Century Indemnity Company, ACE Property and Casualty Insurance Company, Pacific Employers Insurance Company, and ACE American Reinsurance Company (collectively, the "ACE Companies"), by their attorneys, Orr & Reno, P.A., propose the following discovery schedule to the Court and the Liquidator:

October 4, 2004: ACE Companies to serve Interrogatories and Requests for Production on the Liquidator;

November 3, 2004: Liquidator to respond to ACE Companies' Interrogatories and Requests for Production; Liquidator to serve Interrogatories and Requests for Production on the ACE Companies; Liquidator to disclose the identity of any experts it intends to call, together with their curriculum vitae and reports;

December 3, 2004: ACE Companies to respond to Liquidator's Interrogatories and Requests for Production; ACE Companies to disclose the identity of any experts it intends to call, together with their curriculum vitae and reports;

December 3, 2004 – January 28, 2005: Depositions of designated witnesses limited to seven (7) hours per witness;

February 1, 2005: Close of discovery; Court to schedule final pretrial conference and evidentiary hearing not to exceed five (5) days, after February 1, 2005.

The ACE Companies will seek to take the depositions of Commissioner Roger Sevigny, and each of the following individuals, each of whom has provided an affidavit to this Court or in the UK proceedings regarding the Agreement with AFIA Cedents:

Roger A. Seigny  
Peter Bengelsdorf  
Gernot Warmuth  
Gareth Hughes  
Rhydian Williams  
Jonathan Rosen  
Paula Rogers

As indicated in the ACE Companies' Partial Objection to Liquidator's Motion for Scheduling Order, the ACE Companies believe that reasonable discovery on the specific issues remanded to this Court is necessary to permit the parties to develop the factual record required by the New Hampshire Supreme Court. The proposed discovery schedule is intended to provide the parties with the requisite evidentiary support for their respective positions, without undue delay or expense.

WHEREFORE, the ACE Companies respectfully request this Court:

- A. To adopt and approve this Proposed Discovery Schedule; and,
- B. To grant such other and further relief as this Court deems just and proper.

Dated: October 1, 2004

Respectfully submitted,



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