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THE STATE OF NEW HAMPSHIRE  
MERRIMACK COUNTY  
NH SUPERIOR COURT  
MERRIMACK COUNTY  
SUPERIOR COURT  
CONCORD, NH

In the Matter of the )  
Liquidation of the Home ) Docket No: 03-E-0106  
Insurance Company )

STATUS CONFERENCE

Before: Honorable Kathleen A. McGuire  
Presiding Justice, held at  
Concord, New Hampshire, on  
Friday, April 9, 2004

\* \* \*

APPEARANCES:

<u>For the Liquidator:</u>	Peter Roth Attorney at Law
<u>For the Respondents:</u> (ACE Companies)	Ron Snow Attorney at Law
	Pieter Van Tol Gary Lee Attorneys at Law
(Benjamin Moore)	Andre D. Bouffard Attorney at Law
<u>Court Reporter:</u>	Michelle A. H. McGirr CSR/RPR Official Court Reporter

\* \* \*

1 MR. ROTH: We'll do our best. I'm not  
2 sure that it's easily quantifiable because it's  
3 -- part of it is AFIA Cedents have to file  
4 claims and we don't know how much those claims  
5 will be exactly and once they file claims. Then  
6 they have to prosecute them and defend them  
7 against objections because this isn't just,  
8 let's have AFIA Cedents file the biggest claim  
9 that they can and we'll stick it to ACE, that's  
10 not what this is about. ACE is going to be part  
11 of the program to adjudicate all the claims and  
12 determine what they're really worth in the  
13 claims process we've set up here. So at this  
14 point we don't know precisely what it's going to  
15 be. We will endeavor to produce a statement of  
16 what we think -- what our best guess is as to  
17 their worth.

18 MR. BOUFFARD: Your Honor, in that  
19 regard, one of the questions we raised in our  
20 objection is whether or not and to what extent  
21 AFIA Cedents have already filed claims. We  
22 tried to get some of that information on our own  
23 by just contacting the liquidator to get a

1 claims register, something along those lines,  
2 and were told that the claims register was not a  
3 public document, much to my surprise. So one  
4 question that perhaps we could get answered  
5 today is whether there have been claims filed  
6 and how much.

7 MR. ROTH: There have been none. No  
8 AFIA Cedent has filed a claim yet. They've been  
9 very reluctant to do so because they don't want  
10 to waive their rights to do the cut-throughs and  
11 their ring fencing and whatever it is they've  
12 been trying to do. If they file a claim --

13 THE COURT: Okay. So the answer is  
14 no.

15 MR. ROTH: The answer is no.

16 MR. BOUFFARD: What about commutations  
17 with AFIA Cedents? They're commuting AFIA  
18 Cedents --

19 MR. ROTH: (Conferring off the  
20 record). No.

21 MR. LEE: Your Honor, may I rise?

22 THE COURT: Yes.

23 MR. LEE: I just was checking the Home