

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

RESPONSE OF GERNOT A. WARMUTH TO
ACE COMPANIES' FIRST REQUEST FOR
PRODUCTION OF DOCUMENTS

Respondent Gernot A. Warmuth ("GAW"), individually and on behalf of his client, Zürich Versicherung AG (Deutschland) ("Zürich"; collectively, the Respondents), hereby responds to the Request for Production of Documents of the ACE Companies dated December 8, 2004 (the "Request") as follows:

I.

INTRODUCTORY STATEMENTS

1. Respondents object generally to the Request, and to each separate request, to the extent that Respondents have already produced documents to the ACE Companies in the course of the arbitration between Respondent Zürich and The Home. Also, Respondents will not produce any documents which have been made public records via publication at www.nh.gov/insurance.
2. Respondents object generally to the Request on the grounds that the service of the Request has been made in violation of the Convention of the Service Abroad on Judicial and Extrajudicial Documents in Civil or Commercial Matters.
3. Respondents further object generally to the Request on the grounds that the Request has not been formally made in accordance with the Convention on the Taking of Evidence Abroad in Civil and Commercial Matters.

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4. Respondents further object generally to the Request on the grounds that the Request has been made in violation of the Convention on the Taking of Evidence Abroad in Civil and Commercial Matters in that the Federal Republic of Germany has declared in pursuance of Article 23 of the Convention that it will not, in its territory, execute Letters of Request issued for the purpose of obtaining pre-trial discovery of documents as known in Common Law countries.
5. Respondents object generally to the Request, and to each separate request, to the extent it requests production of any documents which are within the scope of the attorney-client privilege.
6. Respondents object generally to the Request, and to each separate request, to the extent it requests production of any documents which are within the scope of the attorney-work-product rule.
7. Respondents object generally to the Request, and to each separate request, to the extent it requests production of any documents that are subject to confidentiality agreements, joint defense agreements and/or a common interest privilege under English law.
8. Respondents object generally to the Request, and to each separate request, to the extent that the request itself is vague, ambiguous, overbroad and/or unduly burdensome.
9. Respondents object generally to the Request, and to each separate request, to the extent that the request itself is irrelevant to Respondent GAW's Affidavit.
10. Respondents object generally to the Request, and to each separate request, to the extent that the request is unreasonable or for other reasons not in accordance with Section 142 of the German Code of Civil Procedure.
11. Respondents object generally to the Request, and to each separate request, to the extent that it purports to impose obligations which are beyond those imposed by applicable U.S. and New Hampshire law, including but not limited to the Rules of the New Hampshire Superior Court.
12. Respondents will only produce copies of the documents listed hereinafter.

II.
DOCUMENT REQUEST

1. All documents relating to your internal communications with respect to the Agreement, including but not limited to, the negotiation of the Agreement.

Respondents repeat their general objections stated above and in particular general objections number 5, 6 and 7. Although Respondents have in their possession various documents which are responsive to this request, particularly memorandums and notes prepared by Respondent GAW, no documents will be produced pursuant to this request for the reasons stated above.

2. All documents relating to your communications with any AFIA Cedents regarding the Agreement, including, but not limited to, the negotiation of the Agreement.

Respondents repeat their general objections stated above and in particular general objection number 7. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: See attached list of documents.

3. All documents relating to your communications with the Liquidator regarding the Agreement, including, but not limited to, the negotiation of the Agreement.

Respondents repeat their general objections stated above. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: See attached list of documents.

4. All documents relating to your communications with the Joint Provisional Liquidators regarding the Agreement, including, but not limited to, the negotiation of the Agreement.

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Respondents repeat their general objections stated above and in particular general objections number 8 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: See attached list of documents.

5. All documents in your possession, custody or control reflecting any communication regarding the Agreement with any entity other than those referenced in Request Nos. 2, 3 and 4 above, including, but not limited to, the negotiation of the Agreement.

Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

6. All documents in your possession, custody or control reflecting any communication between and among any AFIA Cedents regarding the Agreement, including, but not limited to, the negotiation of the Agreement.

Respondents repeat their general objections stated above and in particular general objection numbers 5, 6 and 7. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

7. All documents concerning your exploration of any alternative means of realizing recovery with respect to the business protected by the AFIA Treaties, including, but not limited to:

- 7a. Any possible means of circumventing Home in realizing any such recovery;
- 7b. Any possible side arrangements between Zurich and the ACE Companies;
- 7c. Any communication between you and the Liquidator and/or the Joint Provisional Liquidators regarding any alternative means of realizing any such recovery; and

7d. Any communication between you and other AFIA Ce-
dent(s) regarding any alternative means of real-
izing any such recovery.

Respondents repeat their general objections stated
above and in particular general objections number
5, 6, and 7. However, without waiving any objection
and for purposes of responding to this request only,
Respondents will produce the following documents:

- Draft letter to Howard Denbin dated July 17,
2000
- Letter KPMG to ACE INA dated July 28, 2000
- Agenda for Ruddy Pool Commutation Discussions
with ACE USA between July 31, 2000 and August
2, 2000 in Boston and List of Participants
- Brandywine Holdings Ruddy Commutation Proposal
of July 31, 2000
- Letter Nationwide to ACE USA dated September
28, 2000
- Letter ACE USA to Nationwide dated October 06,
2000
- Letter Nationwide to ACE USA dated October 18,
2000

8. All documents concerning the application of New
Hampshire claims and distribution procedures to
any claims and assets relating to Home or Home
U.K. Branch located in the United Kingdom, in-
cluding, but not limited to, any communication
between you and the Liquidator and/or the Joint
Provisional Liquidators regarding your question-
ing the application of any such procedures.

Respondents repeat their general objections stated
above and in particular general objections number 5,
6 and 8. However, without waiving any objection and
for purposes of responding to this request only, Re-
spondents will produce the following documents: No
additional documents.

9. All documents concerning any suggestion by any AFIA Cedent, including Zurich, that UK assets relating to Home or Home U.K. Branch should be „walled off“ from United States creditors and distributed to Home UK Branch creditors, including, but not limited to:
 - 9a. The nature and value of any such UK assets;
 - 9b. All documents concerning any presentations regarding any „walling off“ of any such assets; and
 - 9c. Any other communications between and among any AFIA Cedents, the Liquidator, the Joint Provisional Liquidators and any other person or entity regarding any „walling off“ of such UK assets.

Respondents repeat their general objections stated above and in particular general objections number 5, 6 and 7. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following document which is responsive to request 9a:

- Letter of ACE Europe to Scheiber & Partner dated January 15, 2003 and enclosures (Rutty Quarterly Bills for the 3rd and 4th Quarter 2002)

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Rutty Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of all pertinent documents responsive to request 9a.

10. All documents concerning the UK Scheme of Arrangement, including, but not limited to:
 - 10a. All documents concerning your internal communications relating to the UK Scheme of Arrangement; and
 - 10b. All documents concerning any communications between any AFIA Cedents, the Liquidator, the Joint Provisional Liquidators, or any other person or entity relating to the UK Scheme of Arrangement.

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Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

11. All documents concerning any payment contemplated under the Agreement to you or any other AFIA Cedent(s).

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8 in that this request is too vague and ambiguous. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

12. All documents concerning any estimates, done by you or any other entity, of „Net Recoveries“ as defined in Section 1.2 of the Agreement, including, but not limited to, the Liquidator's estimate of \$ 72.5 million.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following additional documents: No additional documents.

13. All documents concerning any determination that, under the Agreement, you or any other AFIA Cedents would receive any amount of the „Net Recoveries“, as defined in Section 1.2 of the Agreement.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

14. All documents concerning any amount or level of payment necessary to provide an incentive to you or any other AFIA Cedent to file a claim in the Liquidation.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following additional documents: No additional documents.

15. All documents concerning any correlation(s) established by you, the Liquidator, the Joint Provisional Liquidator or any other person or entity between the AFIA Cedents receiving any portion of the „Net Recoveries“ as defined in Section 1.2 of the Agreement, and the cost to you or any other AFIA Cedent of obtaining and collecting any amount from the Home estate, including, but not limited to, all documents concerning any communications with respect to such correlation(s).

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

16. All documents concerning any claim filed by Zurich in the Liquidation, including, but not limited to, your personal files concerning the preparation and filing of any such claim.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

17. All documents concerning the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

18. All documents concerning any instruction to you from Zurich regarding the Affidavit.

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Respondents repeat their general objections stated above and in particular general objections number 5 and 6. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

19. All documents concerning your belief that Zurich is a "substantial creditor" of Home, as referenced in paragraph 4 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruddy Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of all pertinent documents responsive to this request.

20. All documents concerning "Treaty R," as referenced in paragraph 4 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8, in that this Request is not only overbroad but also unduly burdensome. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruddy Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

21. All documents concerning Zurich's liabilities incurred under policies of insurance and reinsurance underwritten on behalf of Zurich by M.E. Ruty Underwriting Agencies Limited of London.

Respondents repeat their general objections stated above and in particular general objection number 8, in that this Request is not only overbroad but also unduly burdensome. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruty Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

22. All documents concerning Zurich's outstanding claims against Home under Treaty R, as referenced in paragraph 5 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8, in that this Request is not only overbroad but also unduly burdensome. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruty Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

23. All documents concerning Zurich's claims against Home, as referenced in paragraph 5 of the Affidavit, including, but not limited to:

- 23a. All documents concerning the amount of Zurich's claim(s) against Home;

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- 23b. All documents concerning the validity of Zurich's claim(s) against Home;
- 23c. All documents concerning internal communications at Zurich concerning Zurich's claim(s) against Home;
- 23d. All communications between Zurich and Home concerning claim(s) against Home;
- 23e. All communications between you and the Liquidator concerning Zurich's claim(s) against Home;
- 23f. All communications between you and the Joint Provisional Liquidators concerning Zurich's claim(s) against Home;
- 23g. All communications between you and any other AFIA Cedent(s) concerning Zurich's claim(s) against Home; and
- 23h. All communications between you and any other entity concerning Zurich's claim(s) against Home.

Respondents repeat their general objections stated above and in particular general objection numbers 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruddy Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

- 24. All communications between you and any other AFIA Cedent(s) concerning the amount and validity of any other AFIA Cedent's claim(s) against Home.

Respondents repeat their general objections stated above and in particular general objection number 7. No document will be produced according to this request.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, has been handling the run-off of the interests of up to four members of the Ruddy Pool which have been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

25. All communications between you and any other entity concerning the validity of any other AFIA Cedent's claim(s) against Home.

Respondents repeat their general objections stated above and in particular general objection number 7. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, has been handling the run-off of the interests of up to four members of the Ruddy Pool which have been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

26. All documents concerning Zurich's right to terminate its participation in Treaty R, as referenced in paragraph 6 of the Affidavit, including, but not limited to, any agreement reached between Zurich and Home regarding the termination provisions of Treaty R.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7, 8 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

27. All documents concerning any communication between you and Home's "liquidation team", as referenced in paragraph 6 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objections number 8 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

28. All documents provided to you by the Liquidator, including, but not limited to, those referenced in paragraph 7 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

29. All documents concerning your disagreement with the ACE Companies' position on the likelihood of the AFIA Cedents' filing claims in the Liquidation, as referenced in paragraph 8 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

30. All documents concerning the Liquidator's position that AFIA Cedents are Class V creditors in the Liquidation, as referenced in paragraph 8 of the Affidavit, including, but not limited to, any documents concerning your view of that position.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

31. All documents concerning your statement in paragraph 8 of the Affidavit whether Zurich would expend any time or effort in filing a claim in the Home liquidation in the absence of the proposed scheme of arrangement as envisaged in the Agreement.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

32. All documents concerning your estimate of any time and expense to Zurich in pursuing a claim in the Liquidation, in the absence of the scheme of arrangement, as referenced in paragraph 8 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

33. All documents concerning your statement in paragraph 8 of the Affidavit of the steps involved for Zurich in pursuing a claim against Home.

Respondents repeat their general objections stated above and in particular general objection number 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruddy Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

34. All documents concerning any agreement between you and any person or entity administering the run-off of the AFIA business on the Liquidator's behalf, as set forth in paragraph 8 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

35. All documents concerning your "personal experience" in advising creditors in filing and pursuing claims in insolvency situations, as referenced in paragraph 8 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

36. All documents concerning Zurich's practices and procedures regarding the filing and prosecution of claims in insolvency situations, including, but not limited to:

36a. All documents concerning any cost to Zurich of filing and prosecuting any such claims;

36b. All documents concerning any time and effort incurred by Zurich in filing and prosecuting any such claims;

36c. All documents concerning any cost to Zurich of filing and prosecuting any claims against Home;

36d. All documents concerning any time and effort incurred to date by Zurich in filing and prosecuting any claims against Home;

36e. All documents reflecting any practices and procedures regarding any claim(s) filed by Zurich in other insolvency cases; and

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36f. All documents concerning any time and effort incurred by Zurich with regards to any claims filed in other insolvency cases which constitute your „personal experience“ in this regard.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7, 8 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

37. All documents concerning any discussions between you and Home, including any of its advisers and representatives, regarding:

37a. The ranking of Zurich as a creditor in the Liquidation; and

37b. Any potential distribution to Zurich in the Liquidation.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

38. All documents concerning Zurich's consideration and rejection of any „alternatives“ to the Agreement listed in paragraph 9 of the Affidavit, including, but not limited to:

38a. All documents concerning „the possibility of ‚walling off‘ the AFIA assets in a separate English liquidation of Home;“

38b. All documents concerning „the possibility of [...] negotiating side agreements with the ACE Group reinsurers;“

38c. All documents concerning „the possibility [...] of seeking some other similar remedy;“ and

38d. All documents concerning your statement in paragraph 9 of the Affidavit regarding „the possibility of establishing a separate English liquidation for Home, under which the assets of the UK branch would be ‚ring-fenced‘ for the benefit of UK branch creditors.“

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Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

39. All documents concerning Zurich's consideration whether a cut-through agreement with the ACE Companies might enable the ACE Companies to make direct payments to Zurich as the "price" for Zurich refraining from filing claims in the Liquidation, as set forth in paragraph 9 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

40. All documents concerning the statement in paragraph 9 of the Affidavit that the ACE Companies are directly obliged to Zurich for losses arising on Treaty R, including but not limited to, all documents concerning:

- 40a. Any obligation by the ACE Companies to accept a novation of their obligations under any of the AFIA Treaties; and
- 40b. Any other basis for the ACE Companies to make direct payment to any AFIA Cedent(s).

Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

41. All documents concerning the existence, nature and value of any "AFIA assets," as referenced in paragraph 9 of the Affidavit.

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Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

42. All documents concerning Zurich's consideration of a direct compromise agreement with the ACE Companies, including through a termination of Treaty R and the collection by Zurich of Ruddy common account reinsurances, as set forth in paragraph 9 of the Affidavit.

Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

43. All documents concerning any commitment given by CIGNA in 1984, as set forth in paragraph 9 of the Affidavit.

Respondents repeat their general objections stated above. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

44. All documents concerning any other "alternatives" to the Agreement considered by Zurich prior to the execution of the Agreement, as referenced in paragraph 9 of the Affidavit, to "counteract" Zurich's status in the Liquidation, including, but not limited to, Zurich's practices and procedures regarding any such possible alternative solutions.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

45. All documents concerning any investigation and due diligence conducted by Zurich regarding any potential benefit to Zurich of entering into the Agreement, including, but not limited to, the alternatives referenced in paragraph 9 of your Affidavit.

Respondents repeat their general objections stated above and in particular general objections number 5, 6, 7 and 8. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

46. All documents concerning your discussions with the Liquidator's staff, as referenced in paragraph 10 of the Affidavit.

Respondents repeat their general objections stated above. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

47. All documents concerning any communications between you and Rosen concerning:

47a. The Liquidation;

47b. The Agreement, including, but not limited to, the negotiation of the Agreement;

47c. Any recovery by Zurich or any other AFIA Cedent under the Agreement;
and

47d. Any alternatives to the Agreement.

Respondents repeat their general objections stated above. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

48. All documents concerning the possibility of setting off any claims which Home has or may have against Zurich or any other AFIA Cedent, against any claim(s) Zurich or any other AFIA Cedent has or may have against Home, including, but not limited to, any communications with Rosen regarding any such set-off.

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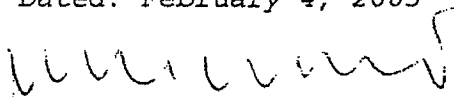
Respondents repeat their general objections stated above and in particular general objection number 5, 6, 7, 8 and 9. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Please note that, on behalf of The Home, ACE INA Services U.K. Limited, a subsidiary of the ACE Companies, is currently handling the run-off of Respondent Zürich's interest in the Ruddy Pool which has been reinsured by The Home as fronting company for the AFIA Pool. This is why the ACE Companies are already in the possession, custody and control of multiple files containing documents that are responsive to this request.

49. All documents regarding any concern you have expressed that claim procedures established by the „Order Establishing Procedures Regarding Claims Filed with the Home Insurance Company“ entered December 19, 2003, may provide for broader discovery than is otherwise available under the A-FIA Treaties.

Respondents repeat their general objections stated above and in particular number 8, in that this request is too vague and ambiguous. However, without waiving any objection and for purposes of responding to this request only, Respondents will produce the following documents: No additional documents.

Dated: February 4, 2005



(Gernot A. Warmuth)