

**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**

**LIQUIDATOR'S SUPPLEMENTAL FILING RE MOTION FOR APPROVAL OF  
SETTLEMENT AGREEMENT WITH WESTERN ASBESTOS SETTLEMENT TRUST**

Roger A. Sevigny, Insurance Commissioner for the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company ("Home"), makes this supplemental filing concerning his Motion for Approval of Settlement Agreement with Western Asbestos Settlement Trust ("Motion").

The Liquidator filed the Motion on March 8, 2011. Since that time, some questions have been raised concerning paragraph 7 of the Motion. The Liquidator accordingly clarifies paragraph 7, without changing his original intent, as follows:

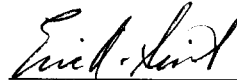
The Settlement Agreement is different from other settlement agreements previously approved by the Court. In the Settlement Agreement, the Claimants and Liquidator release each other from any claim arising from or related to the proofs of claim. However, unlike other settlement agreements, the Settlement Agreement does not resolve all matters arising from or related to the Home insurance policies. The Claimants are pursuing claims against Zurich-American Insurance Company and other companies in Western Asbestos Settlement Trust, et al. v. Zurich-American Insurance Co., et al., Case No. CGC-04-436181 (San Francisco Superior Ct.), which is coordinated with other cases in the same court (the "Zurich Litigation"). Settlement Agreement fifth Whereas clause. As part of the Zurich Litigation, the Claimants have asserted claims against the California Insurance Guarantee Association under the Home policies, and they have, or may, assert such claims against other insurance guaranty associations. Id., seventh Whereas clause. The Liquidator acknowledges that he is aware of the Claimants' pending claims in the Zurich Litigation and takes no position as to the claims and defenses in the Zurich Litigation. The Settlement Agreement is not intended to have any effect on the Zurich Litigation, other than on the claim asserted by the Claimants against the California Insurance Guarantee Association. Id. ¶ 4.

Respectfully submitted,

ROGER A. SEVIGNY, INSURANCE  
COMMISSIONER OF THE STATE OF  
NEW HAMPSHIRE SOLELY AS  
LIQUIDATOR OF THE HOME  
INSURANCE COMPANY,

By his attorney,  
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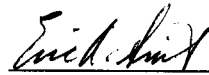
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April 7, 2011

**Certificate of Service**

I hereby certify that a copy of the foregoing Liquidator's Supplemental Filing Re: Motion for Approval of Settlement Agreement with Western Asbestos Settlement Trust was sent this 7<sup>th</sup> day of April, 2011, by first class mail, postage prepaid to all persons on the attached service list.



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Docket No. 03-E-0106

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