

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**

**AFFIDAVIT OF THOMAS W. KOBER,
IN SUPPORT OF MOTION TO PLACE CONFIDENTIAL AFFIDAVIT REGARDING
SETTLEMENT AGREEMENT WITH CHRPP UNDER SEAL**

I, Thomas W. Kober, hereby depose and say:

1. I am the Chief Claims Officer for The Home Insurance Company in Liquidation.

I submit this affidavit in support of the Liquidator's Motion to Place Confidential Affidavit regarding Settlement Agreement with CHRPP Under Seal (the "Motion"). The facts and information set forth are either within my own knowledge gained through my involvement with this matter, in which case I confirm that they are true, or are based on information provided to me by others, in which case they are true to the best of my knowledge, information and belief.

2. The Motion is filed in connection with the Liquidator's Motion for Approval of Settlement Agreement with CHRPP (the "Approval Motion"). As described in the Approval Motion, the Liquidator has negotiated a resolution of a lawsuit against the Chicago Hospital Risk Pooling Program ("CHRPP") for an agreed amount and on the terms and conditions set forth in the Confidential Settlement Agreement and Release ("Settlement Agreement"). A copy of the Settlement Agreement with economic terms redacted has been filed as an exhibit to the Approval Motion. The unredacted full Settlement Agreement is submitted with the Confidential Affidavit.

3. CHRPP requested, and the Liquidator has agreed that the settlement should be confidential, although it may be disclosed in connection with the Approval Motion. Settlement Agreement ¶ 6. The mediation that ultimately led to the settlement was confidential, and

CHRPP is concerned that, given the compromises by all parties, disclosure of the details of settlement might prejudice its position concerning other matters in which it is involved.

Signed under the penalties of perjury this 7th day of May, 2014.

Thomas A. Kahan

STATE OF NEW YORK
COUNTY OF NEW YORK

Subscribed and sworn to, before me, this 7th day of May, 2014.

Mary E Actor

Notary Public/Justice of the Peace

MARY E. ACTOR
Notary Public - State of New York
No. 02AC6101148
Qualified in New York County
My Commission Expires November 3, 2015