

**THE STATE OF NEW HAMPSHIRE**

**MERRIMACK, SS**

**SUPERIOR COURT**

**Docket No. 03-E-106**

**In the Matter of the Liquidation of  
The Home Insurance Company**

**CENTURY INDEMNITY COMPANY'S RESPONSE TO  
THE LIQUIDATOR'S MOTION FOR APPROVAL OF  
SETTLEMENT WITH GENERAL CABLE CORPORATION**

Century Indemnity Company, as successor to CCI Insurance Company, as successor to Insurance Company of North America, as successor to Indemnity Insurance Company of North America (collectively, "Century") respectfully submits this Response to the Liquidator's Motion for Approval of its settlement agreement with General Cable Corporation (General Cable) dated July 9, 2015.

Like the Home Insurance Company ("Home"), Century issued one or more policies of insurance to General Cable. To the extent that Century has made and / or in the future will make any payments to General Cable, General Cable's assignee GRC Global, or any other assignee of General Cable, it is Century's position that nothing in the Liquidator's Settlement with General Cable affects, alters or in any way negates any current and/or future contribution or subrogation claim which Century may have against the Home estate in connection with those payments (unless such claim has already been fully resolved).

The Liquidator has recognized as much in connection with his motion for the approval of other settlement agreements, by acknowledging that: "Unlike third party claimants' claims, a contribution claim is independent of the insured's claims (although derived from the same underlying circumstances), and it will remain to be determined on its own merits in the

liquidation proceeding.” E.g., Liquidator’s Motion for Approval of Settlement Agreement with Freeport-McMoran at ¶5 n.1. Thus, any future claim Century may have for contribution in connection with payments made under policies issued to General Cable or its predecessors in interest, will remain to be determined on their own merits in the Liquidation.

Century requests that the Liquidator retain all claim files pertaining to this policyholder. In addition, Century reserves all of its rights including any rights against all parties; nothing in this statement shall be deemed an admission by Century or a waiver by Century of any rights or remedies including, without limitation, claims or defenses.

Respectfully submitted,

CENTURY INDEMNITY COMPANY and  
ACE PROPERTY & CASUALTY INSURANCE CO.

By its attorneys  
ORK & RENO, P.A.

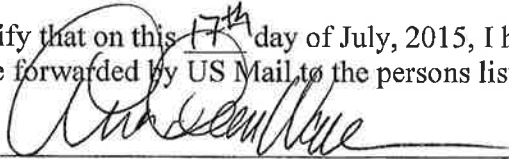


Dated: July 17, 2015

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CERTIFICATE OF SERVICE

I, Lisa Snow Wade, Esq., hereby certify that on this 17<sup>th</sup> day of July, 2015, I have caused a copy of the attached document to be forwarded by US Mail to the persons listed on the attached service list.



Lisa Snow Wade

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

In the Matter of the Liquidation of  
The Home Insurance Company  
Docket No. 03-E-0106

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