

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 217-2003-EQ-00106

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

[PROPOSED]

**ORDER APPROVING SETTLEMENT
AGREEMENT WITH DIOCESE OF GALLUP**

On consideration of (a) the motion of Roger A. Sevigny, Insurance Commissioner for the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for an order approving a Settlement Agreement and Mutual Release (“Settlement Agreement”) between the Roman Catholic Church of the Diocese of Gallup (the “Diocese”) and the Liquidator, and (b) the supporting Affidavit of Peter A. Bengelsdorf, it is hereby found and ORDERED as follows:

1. The Settlement Agreement is reasonable, prudent, and in the best interests of the liquidation of Home;

2. The Liquidator’s Motion for Approval of Settlement Agreement with Diocese of Gallup is granted, and the Settlement Agreement is approved;

3. The Liquidator’s recommendation concerning the allowance of the proofs of claim of the Diocese is approved, and the Diocese’s claim is allowed as a Class II claim in the aggregate amount of \$3,750,000 subject to satisfaction or waiver of the conditions in the Settlement Agreement; and

4. The Liquidator’s recommendation concerning the allowance of the proof of claim of the New Mexico Property and Casualty Insurance Guaranty Association (“NMPCIGA”) with respect to the Diocese is approved, and, upon the payment by the NMPCIGA to the Diocese, or the Diocese’s assignee, of the settlement amount of \$1,850,000 and presentation by the NMPCIGA to the Liquidator of proof of that payment, the NMPCIGA’s claim shall be allowed as a Class II claim in the aggregate amount of \$1,850,000.

So Ordered.

Dated: _____

Presiding Justice