

STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

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

**CENTURY INDEMNITY COMPANY'S AND ACE PROPERTY & CASUALTY  
INSURANCE COMPANY'S RESPONSE TO THE LIQUIDATOR'S MOTION FOR  
APPROVAL OF SETTLEMENT AGREEMENT WITH CBS OPERATIONS**

Century Indemnity Company on its own behalf and in its capacity 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") and ACE Property & Casualty Insurance Company, formerly known as CIGNA Property and Casualty Insurance Company, formerly known as Aetna Insurance Company ("ACE P&C"), respectfully submit this Response to the Liquidator's Motion for Approval of its settlement agreement with CBS Operations, Inc., as successor to Gulf & Western Industries, Inc., Universal American Corporation, E.W. Bliss Company and Viacom International, Inc. (collectively, "CBS").

The Liquidator's Motion indicates that the Home Insurance Company issued multiple policies to CBS. Like the Home Insurance Company, Century and ACE P&C each issued one or more policies of insurance to CBS. To the extent that Century or ACE P&C has made and/or in the future will make any payments with respect to policies issued to CBS, it is Century's and ACE P&C's position that nothing in the Liquidator's Settlement with CBS affects, alters or in any way negates any current and/or future contribution or subrogation claim which Century or ACE P&C has and/or 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 current or future Century or ACE P&C claim for contribution in connection with payments made under policies issued to CBS will remain to be determined on their own merits in the Liquidation.

Century and ACE P&C request that the Liquidator retain all claim files pertaining to this policyholder. Century and ACE P&C reserve all of their rights including any rights against all parties; nothing in this statement shall be deemed an admission by Century or ACE P&C, or a waiver by Century or ACE P&C of any rights or remedies including, without limitation, claims or defenses.

Respectfully submitted,

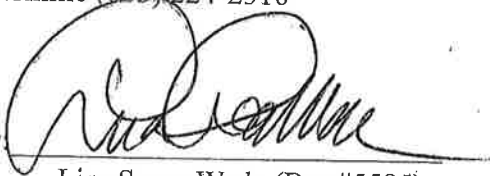
CENTURY INDEMNITY COMPANY and  
ACE PROPERTY & CASUALTY INSURANCE  
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By their attorneys,

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Date: April 18, 2016

By



Lisa Snow Wade (Bar #5595)

**Certificate of Service**

The undersigned certifies that a copy of the foregoing document has been served on counsel of record on the attached service list via First Class mail on April 18, 2016.

A handwritten signature in black ink, appearing to read 'Lisa Snow Wade', written over a horizontal line.

Lisa Snow Wade #5595

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**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**

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