

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 THE ORDER OF FRIARS MINOR PROVINCE OF THE
IMMACULATE CONCEPTION**

On consideration of (a) the motion of John R. Elias, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company, for an order approving a Settlement Agreement and Mutual Release (“Settlement Agreement”) between the Order of Friars Minor Province of the Immaculate Conception, also known as Franciscan Province of the Immaculate Conception (“Claimant”), 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 the Order of Friars Minor Province of the Immaculate Conception is granted, and the Settlement Agreement is approved; and
3. The Liquidator’s recommendation concerning the allowance of the proofs of claim filed by Claimant is approved and Claimant’s claim is allowed as a Class II claim in accordance with RSA 402-C:45 and RSA 402-C:44 in the aggregate amount of \$2,500,000.

So Ordered.

Dated: _____

Presiding Justice