

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 RESPONSE TO THE LIQUIDATOR'S  
MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT WITH COLGATE-  
PALMOLIVE COMPANY**

Century Indemnity Company on its own behalf and in its capacity as successor to CIGNA Specialty Insurance Company (formerly known as California Union Insurance Company)(collectively, "Century"), respectfully submits this Response to the Liquidator's Motion for Approval of its settlement agreement with Colgate-Palmolive Company ("Claimant").

Like the Home Insurance Company, Century issued at least one policy of insurance to Claimant. To the extent that Century has made and/or in the future will make any payments under the policies issued to Claimant, it is Century's position that nothing in the Liquidator's Settlement with Claimant affects, alters or in any way negates any current and/or future contribution or subrogation claim which Century 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 claim for contribution in

connection with payments made under policies issued to Claimant will remain to be determined on its own merits in the Liquidation.

Century requests that the Liquidator retain all claim files pertaining to this policyholder. 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

By its attorneys,

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Date: May 29, 2020

By: /s/ Lisa Snow Wade  
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 and the attached service list via First Class mail on May 29, 2020.

/s/ Lisa Snow Wade  
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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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