

THE 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 AND CASUALTY  
INSURANCE COMPANY'S RESPONSE TO THE LIQUIDATOR'S MOTION FOR  
APPROVAL OF SETTLEMENT AGREEMENT WITH  
INTERNATIONAL PAPER COMPANY**

Century Indemnity Company, (i) in its capacity as successor to CCI Insurance Company as successor to Insurance Company of North America, and (ii) in its capacity as successor to CIGNA Specialty Insurance Company (formerly known as California Union Insurance Company”) (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 International Paper Company, as successor to St. Regis Paper Company (collectively, “Claimant”).

The Liquidator’s Motion indicates that the Home Insurance Company (“Home”) issued ten policies to Claimant for various policy periods between January 1, 1968 and October 1, 1978. Like Home, ACE P&C and Century each issued one or more policies of insurance to Claimant and have submitted contribution claims against Home as an offset in the Liquidation. Nothing in the Liquidator’s Settlement with Claimant affects, alters or in any way negates Century’s or ACE P&C’s contribution claim against the Home estate.

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, ACE P&C's and Century's claims for contribution in connection with payments made under policies issued to Claimant 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 Claimant and reserve all of their rights including any rights against all parties; nothing in this statement shall be deemed an admission by ACE P&C or Century, or a waiver by ACE P&C or Century of any rights or remedies including, without limitation, claims or defenses.

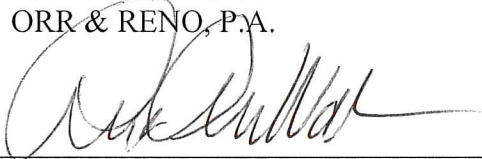
Respectfully submitted,

CENTURY INDEMNITY COMPANY AND  
ACE P & C

By their attorneys,  
ORR & RENO, P.A.

Date: December 20, 2023

By

  
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CERTIFICATE OF SERVICE

I, Lisa Snow Wade, Esq., hereby certify that on this 20<sup>th</sup> day of December 2023, 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

Docket No. 217-2003-EQ-00106

In the Matter of the Liquidation of  
The Home Insurance Company

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