

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 THE RETENTION AND DISPOSAL OF CERTAIN RECORDS

On consideration of the ninth motion of David J. Bettencourt, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for approval of the retention and disposal of certain records as described in the motion, and the supporting affidavit of Peter A. Bengelsdorf, it is hereby ORDERED as follows:

1. The retention and disposal of the records is reasonable, prudent and in the best interests of the liquidation of the Home;
2. The Liquidator’s Ninth Motion for Approval of Retention and Disposal of Certain Records is GRANTED, and the retention and disposal of the records is APPROVED.
3. Until further order of the Court, the Liquidator shall retain:
 - a. Records concerning policies and reinsurance contracts and claims under policies and reinsurance contracts that are necessary for the determination of the remaining open proofs of claim;
 - b. Records concerning policies and reinsurance contracts and claims under policies and reinsurance contracts that are necessary for the resolution of a pending dispute or anticipated litigation;
 - c. Records concerning reinsurance contracts and the underlying claims that are necessary for claims by the Liquidator based upon past claim determinations or the determination of remaining open proofs of claim;
 - d. Records of claim determinations and allowances in the liquidation and other records necessary for making distributions to persons with allowed claims in the estate;

- e. Financial records of the liquidation necessary for the continued administration of the estate, including records necessary for the preparation of final tax returns for the Home liquidation; and
 - f. Records necessary for the ongoing administration of the estate, including but not limited to vendor and employment contracts, personnel records, and records concerning assets of the estate and their management.
4. The Liquidator is authorized to dispose of records outside the categories set forth

in paragraph 3 above.

So Ordered.

Dated: _____

Presiding Justice