

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 ASH GROVE CEMENT COMPANY**

On consideration of (a) the motion of Christopher R. Nicolopoulos, 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 Ash Grove Cement Company (“Ash Grove Cement”) 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 Ash Grove Cement Company is granted, and the Settlement Agreement is approved; and
3. The Liquidator’s recommendation concerning the allowance of the proofs of claim filed by Ash Grove Cement is approved and Ash Grove Cement’s claim is allowed as a Class II claim in accordance with RSA 402-C:45 and RSA 402-C:44 in the amount of \$4,000,000.

So Ordered.

Dated: _____

Presiding Justice