

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

BEFORE THE COURT-APPOINTED REFEREE  
IN RE THE LIQUIDATION OF THE HOME INSURANCE COMPANY  
DISPUTED CLAIMS DOCKET

In Re Liquidator Number: 2019-HICIL-62  
Proof of Claim Number: INSU703957-01 and  
INSU703968  
Claimant Name: PolyOne Corporation

LIQUIDATOR'S RESPONSE TO GOODRICH CORPORATION'S  
MOTION TO PARTICIPATE IN DISPUTED CLAIM PROCEEDING

John R. Elias, Insurance Commissioner of the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company ("Home"), hereby responds to the motion to participate filed by Goodrich Corporation ("Goodrich") in this disputed claim proceeding regarding the claim of PolyOne Corporation ("PolyOne").

1. The Liquidator does not object to Goodrich's motion to participate in this disputed claim proceeding insofar as Goodyear seeks to participate on the issues identified in its motion: the choice of the applicable law and the allocation methodology to be applied to PolyOne's and Goodrich's claims regarding the Calvert City, Kentucky site. See Goodrich's motion at 2.

2. The Liquidator does not agree that Goodrich has an interest in all issues that may be raised in this disputed proceeding regarding PolyOne's claim. Since Goodrich has not identified issues beyond the choice of applicable law and allocation methodology, the Liquidator reserves the right to object to Goodrich's participation on other issues as appropriate.<sup>1</sup>

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<sup>1</sup> The Liquidator notes that he does not agree with the characterizations of litigation in Ohio set forth on page 2 of Goodrich's motion. The Liquidator further notes that both PolyOne and Goodyear have misidentified the policies under which PolyOne asserts its claims. PolyOne's claim and the Liquidator's notice of determination concern Home policies HEC4356627 and HEC4356857 issued to B. F. Goodrich Company.

Respectfully submitted,

JOHN R. ELIAS, INSURANCE  
COMMISSIONER OF THE STATE OF  
NEW HAMPSHIRE, SOLELY AS  
LIQUIDATOR OF THE HOME  
INSURANCE COMPANY,

By his attorneys,

GORDON J. MACDONALD  
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October 15, 2019

**Certificate of Service**

I hereby certify that a copy of the foregoing Liquidator's Response to Goodrich Corporation's Motion to Participate in Disputed Claim Proceeding was sent this 15th day of October, 2019, by email to counsel for Goodrich and counsel for PolyOne.



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Eric A. Smith  
NH Bar ID No. 16952