

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: 2012-HICIL-55

Proof of Claim Number: EMPL713583

Claimant Name: Linda Faye Peeples

LIQUIDATOR'S BRIEF REGARDING PRIORITY

Linda Faye Peeples, as Claimant ("Claimant"), submits this brief with respect to the priority of the claim filed by Roger A Sevigny, Insurance Commissioner of the State of New Hampshire, Liquidator ("Liquidator") of The Home Insurance Company ("Home") in accordance with the Scheduling Order dated November 13, 2012.

ISSUE PRESENTED

As stated in the Scheduling Order, the issue is whether Claimant's claim which the Liquidator assigned to Class V priority, should be reclassified to a higher priority class.

Also, as stated in the letter mail out from claimant to Office of the Clerk, Merrimack County Superior Court dated December 13, 2011, declaring a gross amount owed to me from The Home Insurance Company in Liquidation in the amount of **\$1,500,000**. U.S. Dollars (please see exhibit 7).

BACKGROUND

EXHIBIT 1. PROOF OF CLAIM

I Claimant at the time of filing my claim on May 5, 2010, in response to item 5 on the Proof of Claim, I was unfamiliar with the (The Priority Statute) procedure. That Liquidator had in placed, after researching and familiarize myself with The Home Claim Procedures (the "Procedures") Order Distribution set forth in RSA402-C:44 I Determine that I should be placed as Class II, see exhibit 5.

EXHIBIT 2. ACKNOWLEDGE RECEIPT of PROOF OF CLAIM FORM

EXHIBIT 3. REASON FOR FILING after THE CLAIM DEADLINE on JUNE 13, 2004

EXHIBIT 4. NOTICE of DETERMINATION

In response to letter issued on July 14, 2011 the Liquidator never specified in details what Class V priority where other than "residual claim" pursuant to the order of distribution set forth in RSA402-C-44 and the Liquidator does not expect there to be assets sufficient to make a distribution to creditors in classes below Class II.

Letter dated **July 14, 2011** state that "Amount Allowed by Liquidation" is **Deferred**. After numerous phone conversations with Art Wilson the (Liquidator assigned to my case), see exhibit 2. I question why Notice Determination Letter (see exhibit 4) state the "Amount Allowed by Liquidation" mention deferred, per Art Wilson the amount is deferred because none was mention in the Proof of Claim letter dated 5/5/10.

EXHIBIT 5. REQUEST for REVIEW

I Claimant filed a Request for Review stating why I should be a Class II:

Because I purchased and paid into the ("The Home Group") 401k plan the same as a policyholders my claim should be treated as a Class II "policy related claim". According to The Employee Retirement Income Security Act of 1974 (ERISA) by federal law that protects participants in employee 401k plans offered by employers. I am seeking redress for breached of fiduciary responsibility and failure to provide adequate disclosures of plan terms or benefit changes. In the retirement plan context, employers are supposed to act prudently, and with the highest regard for the interest of employees. Because of the "The Home Group" engaging in highly risky and illegal business and accounting practices, which misrepresented to me the employee that lead to the financial collapse of the company. As a result of The Home Group representing my 401k plan it was completed eradicated.

EXHIBIT 6. NOTICE of REDETERMINATION

EXHIBIT 7. OBJECTION

On December 13, 2011 I Claimant filed an Objection stating:

I am, again, disputing the Redetermination class. I strongly feel that my case should be classified as Class II or above. (Please see initial dispute letter attached). As per my correspondences with Art Wilson, it was stated that no specific dollar amount was declared. Please note that I am declaring a gross amount owed to me from The Home Insurance Company In Liquidation in the amount of 1.5 million USD.

This disputed claim proceeding followed:

THE PRIORITY STATUTE

I Linda Faye Peeples representing myself against The Home liquidation conducted pursuant to the New Hampshire Insurers Rehabilitation and Liquidation Act, RSA 402-C (the "Act"). Contends that my claims should be treated as Class II "Policy Related Claim".

As outlined in RSA 4A2-C:44: Class II - Policy Related Claims.

All claims by policyholders, including claims for unearned premiums in excess of \$50, beneficiaries, and insured's arising from and within the coverage of and not in excess of the applicable limits of insurance policies and insurance contracts issued by the company, and liability claims against insured's which are within the coverage of and not in excess of the applicable limits of insurance policies and insurance contracts issued by the company and claims of the New Hampshire Insurance Guaranty Association, the New Hampshire Life and Health Insurance Guaranty Association and any similar organization in another state. All claims under life insurance and annuity policies, whether for death proceeds, annuity proceeds or investment values, shall be treated as loss claims. That portion of any loss for which indemnification is provided by other benefits or advantages recovered or recoverable by the claimant shall not included in this class, other than benefits or advantages recovered or recoverable in discharge of familial obligations of support or by way of succession at death or as proceeds of life insurance, or as gratuities. No payment made by an employer to an employee shall be treated as a gratuity.

ARGUMENT

EMPLOYEE CLAIMS CONCERNING INVESTMENT OF THE 401K PLAN FALLS WITHIN THE CLASS II POLICY RELATED CLAIMS

I, Linda Faye Peeples (Claimant) former employee/policyholder who act as a policyholder in the 401k plan that The Home Insurance Company had in place for its employee's.

In May 1989 The Home Group changed its name to AmBase Corporation. It is widely apparent that AmBase had many problems regarding breach of fiduciary duty to its participants at the start of The Home Insurance Company financial turmoil of the 1980's and 1990's.

I invested in the AmBase 401k saving plan 6% of my earning and 3% company matched. My claim is The Home Insurance Company elected to invest my retirement saving into junk bonds which was portrayed to be a much healthier plan than it turned out to be. Because part of my investment was fixed income I consider my claim to be a Class II "Policy Related Claims" classification for obligations under the insolvent insurer's insurance policies. I purchase a retirement plan policy, what difference if I purchase it as employee or a customer off the street? I am a insured/former employee of the Home.

My claim is for coverage under my retirement policy. I am seeking to recover my retirement loss of \$1,500,000. My 401(k) plan was set up as a before and after tax contribution which constitute to a policy of insurance under which Home should assumed a risk of loss for some contingency. I consider my

401(k) plan a retirement policy a vehicle for my retirement income. The same as a policyholder or insured who place a insurance policy that provides “coverage by contract whereby for a stipulated consideration one party undertakes to indemnify or guarantee another against loss by a specified contingency of peril.”

According to The Employee Retirement Income Security Act of 1974 –

- Requires accountability of plan fiduciaries. ERISA generally defines a fiduciary as anyone who exercises discretionary authority of control over investment advice to the plan. Fiduciaries who do not follow the principles of conduct may be held responsible for restoring losses to the plan.
- Gives participants the right to sue for benefits and breaches of fiduciary duty.

This is the same when an insurer becomes insolvent, the interests of insurance consumers who purchased the protection of insurance from the insurer are to be favored over the interest of others with claims against the insurer. This priority serves the fundamental goal of insurance regulation – protecting policyholders.

Employee claims regarding investment in a 401(k) plan should be a policy claims and are intended to be protected by the policy priority. So here I, Linda Faye Peeples (Claimant) claim arising from the alleged mis-investment of amounts in the 401(k) plan is a policy related claim. Accordingly, it does fall within Class II.

CONCLUSION

For the reasons stated, the Referee should sustain that Linda Faye Peeples assignment of the claim to Class II priority.

Respectfully submitted,

LINDA FAYE PEEPLES
P.O. BOX 974
FRESNO, TX 77545
(713) 396-3169

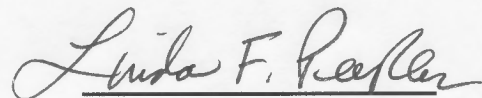
J. Christopher Marshall
NH Bar ID No. 1619
Civil Bureau
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 0331-6397
(603) 271-3650

Eric A. Smith
NH Bar ID No. 16952
Rackemann, Sawyer & Brewster, P.C.
160 Federal Street
Boston, MA 02110
(617) 542-2300

January 12, 2013

Certificate of Service

I hereby certify that foregoing Liquidator's Brief Regarding Priority was sent by electronic mail and first class mail, postage prepaid to Eric A. Smith, Attn: Rackemann, Sawyer & Brewster, P.C., 160 Federal Street, Boston, MA 02110; esmith@rackemann.com, this 12th day of January, 2013.



Linda Faye Peeples

TABLE OF CONTENTS

EXHIBIT:

1. Proof of Claim – 5/5/10
2. Acknowledge Receipt of Proof of Claim form with assigned proof of claim number:
EMPL713583 - 5/5/10
3. Reason for Filing after the claim deadline on June 13, 2004 – 5/14/10
4. Notice of Determination – 7/14/11
5. Request for Review from claimant - 8/9/11
6. Notice of Redetermination – 11/8/11
7. Notice of Objection from Claimant with **Declared Gross Amount** owned to me from The Home Insurance Company in Liquidation in the amount of **\$1,500,000. US Dollars** – 12/13/11

7009 3410 0002 1004 4676

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Certified Fee	\$0.00	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 15.00	

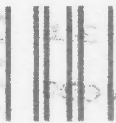
Send to
 The Home Insurance Co. In Liquidation
 Street, Apt. No.
 or PO Box No. 55 South Commercial
 City, State, ZIP+4[®]
 Manchester, New Hampshire 03101

PS Form 3800, August 2009 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X S. GELINAS <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Print Name) S. GELINAS Date of Delivery MAY 05 2010</p>
<p>1. Article Addressed to:</p> <p>The Home Insurance Company IN Liquidation 55 South Commercial Manchester, New Hampshire 03101</p>	<p>D. Is delivery address different from item 1? <input checked="" type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>P.O. Box 1730 Manchester, NH 03105</p>
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>7009 3410 0002 1004 4676</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p>	

• Sender: Please print your name, address, and ZIP+4 in this box •
 Linda F. Petras
 1502 W. April Rain Ct.
 Missouri City, TX 77489

First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10



MANCHESTER NH 03105
 UNITED STATES POSTAL SERVICE
 05 MAY 2010 PM 3:17

PROOF OF CLAIM
The Home Insurance Company,
 Merrimack County Superior Court, State of New Hampshire 03-E-0106
 Read Carefully Before Completing This Form
 Please print or type

FOR LIQUIDATOR'S USE ONLY

DATE PROOF OF
 CLAIM RECEIVED

The Deadline for Filing this Form is June 13, 2004.

You should file this Proof of Claim form if you have an actual or potential claim against The Home Insurance Company of any of its former subsidiaries* ("The Home") even if the amount of the claim is presently uncertain. To have your claim considered by the Liquidator, this Proof of Claim must be postmarked no later than June 13, 2004. Failure to timely return this completed form will likely result in the DENIAL OF YOUR CLAIM. You are advised to retain a copy of this completed form for your records.

1. Claimant's Name: Linda Faye Peoples (maiden) (HILL)
2. Claimant's Address: 1502 W. APRIL Rain Ct.
Missouri City, Texas 77489
3. Claimant's Telephone Number: (281) 438-2877
 Fax Number: (281) 438-2877
 Email address: Lfpeoples@yahoo.com
4. Claimant's Social Security Number, Tax ID Number or Employer ID Number: 449-31-3871
5. Claim is submitted by (check one):
 - a) Policyholder or former policyholder
 - b) Third Party Claimant making a claim against a person insured by The Home
 - c) Employee or former employee
 - d) Broker or Agent
 - e) General Creditor, Reinsurer, or Reinsured
 - f) State or Local Government Entity
 - g) Other: describe: _____

If your name, address, e-mail address, or telephone number set forth above are incorrect, or if they change, you must notify the Liquidator so she can advise you of new information.

Describe in detail the nature of your claim. You may attach a separate page if desired. Attach relevant documentation in support of your claim, such as copies of outstanding invoices, contracts, or other supporting documentation.

I was an employee of The Home Insurance Company in September 1986 until November 1990. I invested in The Home Insurance Company 401K plan 6% of my EARNING and 3% company matched. My claim is The Home Insurance Company invested in junk bonds and I never received anything from my 401K plan.

6. Indicate the total dollar amount of your claim. If the amount of your claim is unknown, write the word "unknown". BUT be sure to attach sufficient documentation to allow for determination of the claim amount.

\$ UNKNOWN (if amount is unknown, write the word "unknown").

7. If you have any security backing up your claim, describe the nature and amount of such security. Attach relevant documentation.

NONE

8. If The Home has made any payments towards the amount of the claim, describe the amount of such payments and the dates paid:

NONE

9. Is there any setoff, counterclaim, or other defense which should be deducted by The Home from your claim?

NONE

10. Do you claim a priority for your claim? If so, why: N/A

11. Print the name, address and telephone number of the person who has completed this form.

Name: Linda Faye Peoples (Hill)
 Address: 1502 W. APRIL Rain Ct.
Missouri City, Texas 77489
 Phone Number: (281) 438-2877
 Email address: Lfpeoples@yahoo.com

* The Home Indemnity Company, The Home Insurance Company of Indiana, City Insurance Company, Home Lloyds Insurance Company of Texas, The Home Insurance Company of Illinois, and The Home Insurance Company of Wisconsin.

12. If represented by legal counsel, please supply the following information:
- a. Name of attorney: _____
 - b. Name of law firm: N/A
 - c. Address of law firm: _____
 - d. Attorney's telephone: _____
 - e. Attorney's fax number: N/A
 - f. Attorney's email address: _____

13. If using a judgment against The Home as the basis for this claim:
- a. Amount of judgment _____
 - b. Date of judgment _____
 - c. Name of case _____
 - d. Name and location of court N/A
 - e. Court docket or index number (if any) _____

14. If you are completing this Proof of Claim as a Third Party Claimant against an insured of The Home, you must conditionally release your claim against the insured by signing the following, as required by N.H. Rev. Stat. Ann. § 402-C:40 I:

I, N/A (insert claimant's name), in consideration of the right to bring a claim against The Home, on behalf of myself, my officers, directors, employees, successors, heirs, assigns, administrators, executors, and personal representatives hereby release and discharge N/A (insert name of defendant(s) insured by The Home), and his/her/its officers, directors, employees, successors, heirs, assigns, administrators, executors, and personal representatives, from liability on the cause(es) of action that forms the basis for my claim against The Home in the amount of the limit of the applicable policy provided by The Home; provided, however, that this release shall be void if the insurance coverage provided by The Home is avoided by the Liquidator.

Claimant's signature

Date

15. All claimants must complete the following:

I, Linda Faye Peoples (insert individual claimant's name or name of person completing this form for a legal entity) subscribe and affirm as true, under the penalty of perjury as follows: that I have read the foregoing proof of claim and know the contents thereof, that this claim in the amount of UNKNOWN dollars (S UNKNOWN) against The Home is justly owed, except as stated in item 9 above, and that the matters set forth in this Proof of Claim are true to the best of my knowledge and belief. I also certify that no part of this claim has been sold or assigned to a third party.

Any person who knowingly files a statement of claim containing any false or misleading information is subject to criminal and civil penalties.

Linda F. Peoples
Claimant's signature

4-28-2010
Date

16. Send this completed Proof of Claim Form, postmarked by June 13, 2004, to:

The Home Insurance Company in Liquidation
P.O. Box 1720
Manchester, New Hampshire 03105-1720

You should complete and send this form if you believe you have an actual or potential claim against The Home even if the amount of the claim is presently uncertain.

THE HOME
INSURANCE
COMPANY IN
LIQUIDATION

Assigned to my
Case!



PO Box 1720
Manchester, NH 03101-1130
1-800-347-0014

Art
Willson
(212) 530-6603

May 5, 2010

Linda Faye Peebles (Hill)
1502 W April Rain Ct.
Missouri City TX 77489

Re: Proof of Claim Numbers: EMPL713583
Date Received: May 5, 2010

Dear Ms. Peebles

This is to acknowledge receipt of your Proof of Claim form.

The Order of Liquidation entered by the Superior Court of Merrimack County, New Hampshire fixed the claim filing deadline for Proofs of Claim in the Home Insurance Company estate at June 13, 2004. The Proof of Claim form we received was postmarked after the filing deadline. New Hampshire Revised Statutes Annotated provides that, under certain circumstances as specified in § 402-C.37 II, III, claimants who make late filings may nonetheless participate in distributions.

If you have not already done so, please provide a complete written explanation of the timing of your Proof of Claim filing within thirty (30) days of the date of this letter. As part of your written explanation, please specify:

- (1) when you first learned of the existence of your claim; and**
- (2) why there is good cause for the Liquidator to accept the Proof of Claim after the filing deadline.**

The Proof of Claim will be reviewed in accordance with the court approved claim procedures.

Further information concerning The Home Insurance Company in Liquidation, including the Order of Liquidation, Claim Procedures, Proof of Claim forms and instructions for filing, is available at the web site of the Department of Insurance of the State of New Hampshire, www.hicilclerk.com.

Please advise the Liquidation of any change in address, phone number or email.

Sincerely,

The Home Insurance Company in Liquidation

IN Take # File #
1685838

Call Back 8hrs. Biz Hrs

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> B. GELINAS <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>INTRA-CITY COURIER, LLC</i></p> <p>C. Date of Delivery MAY 20 2010</p>
<p>1. Article Addressed to:</p> <p>The Home Insurance Company in Liquidation 55 South Commercial Manchester, New Hampshire 03101</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes if YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7009 3410 0002 1005 1391</p>

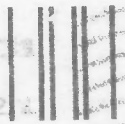
PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

UNITED STATES POSTAL SERVICE

23 MAY 2010 PM 2:42



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**Linda Faye Peeples
1502 W. APRIL Rain Ct.
Missouri City, TX 77489**



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Collection Fee	\$	
Return Receipt Fee (Endorsement Required)	\$	
Restricted Delivery Fee (Endorsement Required)	\$	
Total Postage & Fees	\$	

Postmark Here

Sent To
The Home Insurance Company in Liquidation
 Street, Apt. No.
 or PO Box No. **55 South Commercial**
 City, State, ZIP+4
Manchester, New Hampshire 03101

PS Form 3800, August 2006 See Reverse for Instructions

Mailed out on
5-15-2010

Linda Faye Peeples (Hill)
1502 W. April Rain Ct.
Missouri City, Texas 77489
May 14, 2010

The Home Insurance Company in Liquidation
PO Box 1720
Manchester, NH 03101-1130
1-800-347-0014

RE: Proof of Claim Number: EMPL713583

To Whom It May Concern:

Enclosed is my reason for filing after the claim deadline on June 13, 2004 for Proofs of Claim in the Home Insurance Company estate:

- (1) When you first learned of the existence of your claim; and

I am a former employee of The Home Insurance Company. I invested a percentage of my earning in The Home Insurance Company 401k plan; why glooing on the internet looking for a telephone number to inquire about my lost in the 401k plan. I ran across The Home Insurance Company in Liquidation website. This is when I first learned of the existence of The Home Insurance Company in Liquidation. I immediately call the 1-800 numbers, after explaining my situation to the caller and from there I was informed on how to submit my claim.

- (2) Why there is good cause for the Liquidator to accept the Proof of Claim after the filling deadline.

The Home Insurance Company, submitted faultant monthly statement on my 401k plan. Each quarter stating an increased in investment, but at the end they where investing my earning in junk bonds, so I never receive my earning nor the company match earning that was promise to me. I was not aware of the existence of a claim for this cause my Proof of Claim should me an **Excused Late Filings**. According to New Hampshire – Insurance Chapter 402-C (section 402-C: 37) Filing of Claims. This is a good cause for the Liquidator to accept the Proof of Claim after the filing deadline.

If you have questions, please contact me at 281-438-2877.

Sincerely,

Linda F. Peeples

Linda Faye Peeples (Hill)

May 14, 2010

Page 2

Linda F. Peeples

TITLE XXXVII
INSURANCE
CHAPTER 402-C
INSURERS REHABILITATION AND LIQUIDATION
Formal Proceedings

Section 402-C:37

402-C:37 Filing of Claims. –

I. **Deadline for Filing.** Proof of all claims must be filed with the liquidator in the form required by RSA 402-C:38 on or before the last day for filing specified in the notice required under RSA 402-C:26, except that proof of preferred ownership claims and proprietary claims under RSA 402-C:44 need not be filed at all, and proof of claims for cash surrender values or other investment values in life insurance and annuities need not be filed unless the liquidator expressly so requires.

II. **Excused Late Filings.** For a good cause shown, the liquidator shall recommend and the court shall permit a claimant making a late filing to share in dividends, whether past or future, as if he were not late, to the extent that any such payment will not prejudice the orderly administration of the liquidation. Good cause includes but is not limited to the following:

(a) That existence of a claim was not known to the claimant and that he filed within 30 days after he learned of it;

(b) That a claim for cash surrender values or other investment values in life insurance or annuities which was not required to be filed was omitted from the liquidator's recommendations to the court under RSA 402-C:45, and that it was filed within 30 days after the claimant learned of the omission;

(c) That a transfer to creditor was avoided under RSA 402-C:30-32 or was voluntarily surrendered under RSA 402-C:33, and that the filing satisfies the conditions of RSA 402-C:33;

(d) That valuation under RSA 402-C:43 of security held by a secured creditor shows a deficiency, which is filed within 30 days after the valuation; and

(e) That a claim was contingent and became absolute, and was filed within 30 days after it became absolute.

III. **Unexcused Late Filings.** The liquidator may consider any claim filed late which is not covered by paragraph II, and permit it to receive dividends, other than the first dividend, which are subsequently declared on any claims of the same or lower priority if the payment does not prejudice the orderly administration of the liquidation. The late-filing claimant shall receive, at each distribution, the same percentage of the amount allowed on his claim as is then being paid to other claimants of the same priority plus the same percentage of the amount allowed on his claim as is then being paid to claimants of any lower priority. This shall continue until his claim has been paid in full.

Source. 1969, 272:1. 1975, 348:12, 13, eff. Aug. 6, 1975.

THE HOME INSURANCE COMPANY IN LIQUIDATION

P.O. Box 1720
Manchester, New Hampshire 03105-1720
Tel: (800) 347-0014

Date: July 14, 2011

Class V

Linda Faye Peeples
1502 W. April Rain Ct
Missouri City Texas 77489

RE: NOTICE OF DETERMINATION
Proof of Claim No.: EMPL713583

Determination Summary

Classification Determination: Class V
Amount Allowed by Liquidation: Deferred

Explanation: A partial determination of your claim has been made assigning it a "Class V Residual Classification" under New Hampshire Revised Statute 402-C:44. A determination of the amount of your claim will be made only if it is later concluded that there will be sufficient assets to permit a distribution to Class V claimants. If you disagree with the classification of your claim as Class V, you must request review or file an objection as described below.

Dear Claimant:

The purpose of this letter is to provide you with a determination set forth above of claims you have presented to The Home Insurance Company in Liquidation ("The Home"), under the Proof(s) of Claim specified above. The Home expects to present notice of this determination to the Superior Court for Merrimack County, New Hampshire (the "Court") for approval in accordance with New Hampshire Revised Statute, RSA 402-C:45. Read this Notice of Determination carefully as it sets forth your rights and obligations in detail.

The Home has now made a Determination on the claims as set forth above in accordance with The Home Claim Procedures (the "Procedures")¹ approved by the Court. The claim has been assigned a Class V priority as a "residual claim" pursuant to the Order of Distribution set forth in RSA 402-C:44.

You may have other claims against The Home for which you may receive other Notices of Determination. You will have a separate right to dispute each Notice of Determination. Pursuant to order of the Court, The Home may make distributions of its assets as a percentage of all allowed claims in a particular priority class in The Home estate as

¹ A copy of the January 19, 2005 Restated and Revised Order Establishing Procedures Regarding Claims Filed With The Home Insurance Company in Liquidation may be obtained from the website of the Office of the Liquidation Clerk for The Home Insurance Company in Liquidation and US International Reinsurance Company in Liquidation, www.hicilclerk.org.

approved by the Court. The amount of the final payment for allowed claims will be determined by the final ratio of assets to liabilities and the applicable priority. Please be advised that the final percentage of payment that you receive from The Home, at the time The Home is finally closed, is the total payment amount that you will be entitled to on this claim.

The Liquidator does not expect there to be assets sufficient to make a distribution to creditors in classes below Class II. In the event it is later concluded that there will be a sufficient assets to make a distribution to on Class V claims, the Liquidator will address the merits of your claim and issue a further Notice of Determination.

The following instructions apply to this Notice of Determination:

Claim Classification

1. If you agree with the determination, sign and date the enclosed Acknowledgment of Receipt of the Notice of Determination and mail the completed Acknowledgment to The Home.
2. A. If you wish to dispute the determination of a Class V creditor classification for any reason, you may file a Request for Review with the Liquidator. The Request for Review is the first of two steps in the process of disputing a claim determination. The Request for Review must be received by The Home within thirty (30) days from the date of this Notice of Determination.

REQUEST FOR REVIEW FILING REQUIREMENTS:

- (a) Sign and return the attached Acknowledgment of Receipt form.
- (b) On a separate page, state specifically the reasons(s) you believe that the determination is in error and how it should be modified. Please note the Proof of Claim number on that page and sign the page.
- (c) Mail the Request for Review to:

The Home Insurance Company in Liquidation
P.O. Box 1720
Manchester, NH 03105-1720

You should keep a copy of this Notice of Determination, Acknowledgment of Receipt and Request for Review, then mail the Original Request for Review to us by U.S. Certified Mail, Return Receipt Requested.

- (d) The Request for Review must be received by The Home within thirty (30) days from the date of this Notice of Determination. The Request for Review must be in writing.
- (e) The Liquidator will inform you of the outcome of the review and issue to you a Notice of Redetermination.

IF A REQUEST FOR REVIEW IS NOT FILED WITH THE HOME WITHIN THE THIRTY (30) DAY PERIOD, YOU MAY NONETHELESS DIRECTLY FILE AN OBJECTION WITH THE COURT WITHIN SIXTY (60) DAYS FROM THE MAILING OF THIS NOTICE. You do not have to file the Request for Review as a prerequisite to dispute the Notice of Determination. Please see Section 2B (below) for the Objections to Denial of Claims.

- B. If you disagree with the determination of a Class V creditor classification you may file an Objection with the Court at

Office of the Clerk, Merrimack County Superior Court
163 N. Main Street, P.O.Box 2880
Concord, New Hampshire 03301
Attention: The Home Docket No.03-E-0106

within sixty (60) days from the mailing of the Notice of Determination and bypass the Request for Review procedures as noted in Section 2A (above). If the Request for Review is timely filed as outlined in Section 2A, the Liquidator will inform you of the outcome of the review and issue to you a Notice of Redetermination. If the redetermination is to disallow the claim, you may still file an Objection with the Court. You have sixty (60) days from the mailing of the Notice of Redetermination to file your Objection. Please also sign and return the Acknowledgment of Receipt form and mail a copy of the Objection to the Liquidator.

IF YOU DO NOT FILE AN OBJECTION WITH THE COURT WITHIN EITHER SIXTY (60) DAYS FROM THE MAILING OF THIS NOTICE OF DETERMINATION OR SIXTY (60) DAYS FROM THE MAILING OF ANY NOTICE OF REDETERMINATION, YOU MAY NOT FURTHER OBJECT TO THE DETERMINATION.

A timely filed Objection will be treated as a Disputed Claim and will be referred to the Liquidation Clerk's Office for adjudication by a Referee in accordance with the Procedures.

3. You must notify The Home of any changes in your mailing address. For purpose of keeping The Home informed of your current address, please notify us at the address given on the letterhead above.

Sincerely yours,

Peter Bengelsdorf, Special Deputy Liquidator
For Roger A. Sevigny, Liquidator
of The Home Insurance Company in Liquidation

THE HOME INSURANCE COMPANY IN LIQUIDATION

P.O. Box 1720

Manchester, New Hampshire 03105-1720

Tel: (800) 347-0014

POC #: EMPL713583

Amount Allowed: "Deferred"
Classification: Class V

Linda Faye Peeples
1502 W. April Rain Ct
Missouri City Texas 77489

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge receipt of the Notice of Determination as a Class V Creditor claim and confirm that I understand the content thereof. I further acknowledge and confirm that I understand the Instructions regarding the Notice of Determination of my Claim against The Home Insurance Company in Liquidation and in that regard advise as follows:

(Check off all applicable items).

I agree to the determination.

I reject the determination and want to file a Request for Review (specific reasons must be included along with return of the signed Acknowledgment).

I reject the determination and intend to file a separate Objection with the Court, without filing a Request for Review (specific reasons must be included along with return of the signed Acknowledgment).

I request that The Home mail further correspondence to:

Same name as above.

New name _____

Same address as above.

New address P.O. Box 974
FRESNO, TEXAS 77545

This Acknowledgment of Receipt must be completed, signed and returned to The Home.

Signature: Linda F. Peeples

Printed Name: Linda Faye Peeples

Title: Claimant

Date: August 9, 2011

Customer Service USPS Mobile

Register / Sign In



Search USPS.com or Track Packages

Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

Track & Confirm

GET EMAIL UPDATES

YOUR LABEL NUMBER

230515900007192929

SERVICE

Priority Mail [®]

STATUS OF YOUR ITEM

Delivered

DATE & TIME

August 11, 2011, 7:52 am

LOCATION

MANCHESTER, NH 03105

FEATURES

Expected Delivery By:
August 11, 2011
Signature Confirmation [™]
Proof of Delivery

Arrival at Unit

August 11, 2011, 5:41 am

MANCHESTER, NH 03101

Processed through Sort Facility

August 10, 2011, 10:57 pm

NASHUA, NH 03063

Processed through Sort Facility

August 09, 2011, 9:29 pm

NORTH HOUSTON, TX 77315

Acceptance

August 09, 2011, 12:44 pm

FRESNO, TX 77545

Check on Another Item

What's your label (or receipt) number?

LEGAL

- Privacy Policy >
- Terms of Use >
- FOIA >
- No FEAR Act EEO Data >

OTHER USPS SITES

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2305 1590 0000 7192 9829

Postage and Signature Confirmation fees must be paid before mailing.

Article Sent To: (To be completed by mailer)

(Please Print Clearly)



POSTAL CUSTOMER:

Keep this receipt. For Inquiries:
Access internet web site at
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or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

- Priority Mail™ Service
- First-Class Mail® parcel
- Package Services parcel

PS Form 153, January 2005

(See Reverse)

Linda Faye Peoples
P.O. Box 974
Fresno, Texas 77545
Tel: (713) 436-0666
lfpeoples@att.net

Tuesday, August 9, 2011

The Home Insurance Company in Liquidation
P.O. Box 1720
Manchester, NH 03105-1720

RE: Request for Review
Proof of Claim No.: EMPL713583

Dear Liquidator:

This notice is in accordance with the Determination Summary dated July 14, 2011.

I hereby wish to dispute the determination of a class V "residual claim" pursuant to the order of distribution set forth in RSA 402-C:44. It should be a Class II "policy related claims".

As outlined in RSA 402-C:44: Class II - Policy Related Claims.

All claims by policyholders, including claims for unearned premiums in excess of \$50, beneficiaries, and insured's arising from and within the coverage of and not in excess of the applicable limits of insurance policies and insurance contracts issued by the company, and liability claims against insured's which are within the coverage of and not in excess of the applicable limits of insurance policies and insurance contracts issued by the company and claims of the New Hampshire Insurance Guaranty Association, the New Hampshire Life and Health Insurance Guaranty Association and any similar organization in another state. All claims under life insurance and annuity policies, whether for death proceeds, annuity proceeds or investment values, shall be treated as loss claims. That portion of any loss for which indemnification is provided by other benefits or advantages recovered or recoverable by the claimant shall not included in this class, other than benefits or advantages recovered or recoverable in discharge of familial obligations of support or by way of succession at death or as proceeds of life insurance, or as gratuities. No payment made by an employer to an employee shall be treated as a gratuity.

Because I purchased and paid into the ("The Home Group") 401k plan the same as a policyholders my claim should be treated as a Class II "policy related claim". According to The Employee Retirement Income Security Act of 1974 (ERISA) by federal law that protects participants in employee 401k plans offered by employers. I am seeking redress

for breached of fiduciary responsibility and failure to provide adequate disclosures of plan terms or benefit changes. In the retirement plan context, employers are supposed to act prudently, and with the highest regard for the interest of employees. Because of the "The Home Group" engaging in highly risky and illegal business and accounting practices, which misrepresented to me the employee that lead to the financial collapse of the company. As a result of The Home Group representing my 401k plan it was completed eradicated.

Sincerely Your,

A handwritten signature in cursive script that reads "Linda F. Peoples".

Linda Faye Peoples

THE HOME INSURANCE COMPANY IN LIQUIDATION

P.O. Box 1720
 Manchester, New Hampshire 03105-1720
 Tel: (800) 347-0014

Date: November 8, 2011

Class V

Linda Faye Peeples
 P.O. Box 974
 Fresno, Texas 77545

RE: NOTICE OF REDETERMINATION
 Proof of Claim No.: EMPL713583

Redetermination Summary

Class V

Gross Amount of Claim	: Unknown
Amount Allowed by Liquidation	: Deferred

Dear Claimant:

This is in response to your August 9, 2011 "Acknowledgement of Receipt" of the Notice of Determination ("NOD") issued on behalf of the Liquidator of the Home Insurance Company ("Liquidator") regarding your Proof of Claim ("POC") numbered above. With your acknowledgement you rejected the NOD and filed a Request for Review seeking reconsideration of "the Determination of [your] claim as CLASS V."

By virtue of the Re-determination we will elaborate on the reasons why the Class V determination was, and remains, the appropriate classification for your POC. The Home Liquidation is supervised by the Superior Court of Merrimack County, New Hampshire and is subject to NH RSA §402-C relating to Insurers Rehabilitation and Liquidation. Specifically, NH RSA §402-C:44 prescribes the order of distribution of all claims in an insurer's estate. Your POC was determined to fall within the class "V-Residual Classification" category which includes "All other claims including claims of any state or local government, not falling within other classes under this section..." It was correctly determined that your claim could not be characterized as an "Administration Cost" (Class I); "Policy Related Claim" i.e., a Home Insurance Company policy (Class II); "Claim of the Federal Government" (Class III); or "Wage" claim (Class IV). Hence, the lowest possible priority for your claim was that which was assigned, namely, a Class V-Residual Classification.

Accordingly, on behalf of the Liquidator, this Notice of Re-determination affirms the NOD classification of your POC as a Class V claim.

Please review the Notice of Redetermination below as it sets forth your rights and obligations concerning your proof of claim.

The purpose of this letter is to respond to your Request for Review and provide you with a Redetermination set forth above of claims you have presented to The Home Insurance Company in Liquidation ("The Home"), under the Proof(s) of Claim specified above. The Home expects to present notice of this Redetermination to the Superior Court for Merrimack County, New Hampshire (the "Court") for approval in accordance with New Hampshire Revised Statute, RSA 402-C:45. Read this Notice of Redetermination carefully as it sets forth your rights and obligations in detail.

The Home has reviewed your request for review and made a Redetermination on the claim as set forth above in accordance with The Home Claim Procedures (the "Procedures")¹ approved by the Court. If the claim has been allowed, in whole or in part, it has been assigned a Class V priority as a "residual claim" pursuant to the Order of Distribution set forth in RSA 402-C:44 and will be placed in line for distribution as directed by the Court from the assets of The Home.

You may have other claims against The Home for which you may receive other Notices of Determination or Redetermination. You will have a separate right to dispute each Notice of Determination or Redetermination. If your claim has been allowed in whole or in part, this Notice of Redetermination does not mean that your claim will immediately be paid, or that it will be paid in full or at all. Pursuant to order of the Court, The Home may make distributions of its assets as a percentage of all allowed claims in a particular priority class in The Home estate as approved by the Court. The amount of the final payment for allowed claims will be determined by the final ratio of assets to liabilities and the applicable priority. Please be advised that the final percentage of payment that you receive from The Home, at the time The Home is finally closed, is the total payment amount that you will be entitled to on this claim.

The Liquidator does not expect there to be assets sufficient to make a distribution to creditors in classes below Class II.

Any and all distributions of assets may be affected and/or reduced by any payments you have received on this claim from any other sources not listed on the Notice of Distribution. Any such distributions by The Home are based on The Home's knowledge and/or understanding of the amounts you have received in settlement and/or reimbursement of this claim from all other sources at the time of the allowance or thereafter. Should The Home subsequently become aware of prior recoveries from other sources The Home has the right to reduce its future distribution payments to you to the extent of such other recoveries, or to seek and obtain repayment from you with respect to any previous distributions that were made to you.

¹ A copy of the January 19, 2005 Restated and Revised Order Establishing Procedures Regarding Claims Filed with The Home Insurance Company in Liquidation may be obtained from the website of the Office of the Liquidation Clerk for The Home Insurance Company in Liquidation and US International Reinsurance Company in Liquidation, www.hicilclerk.org.

Further, if you seek or receive any future payment from any other source on this claim after you receive a distribution payment from The Home, you must notify The Home at the address below, and The Home has the right to recover from you the distribution payments in whole or in part, to the extent of any such other future recoveries.

As a condition to receipt of any distributions, The Home shall be entitled to any rights to subrogation you may have against any third party and you shall be deemed to have assigned to The Home such rights upon receipt of any distributions. You shall also be obliged to reimburse The Home for any legal fees or other costs associated with The Home recovering from you any distribution payments to which you are not entitled.

The following instructions apply to this Notice of Redetermination:

Claim Allowed

1. If this claim has been allowed in whole or in part and you agree with the Redetermination, sign and date the enclosed Acknowledgment of Receipt of the Notice of Redetermination and mail the completed Acknowledgment to The Home.

Claim Disallowed

2. If all or part of your claim has been disallowed or you wish to dispute the Redetermination or creditors classification or creditors class in whole or in part, you may still file an Objection with the Court at

Office of the Clerk, Merrimack County Superior Court
163 N. Main Street, P.O. Box 2880
Concord, New Hampshire 03301-2880
Attention: The Home Docket No. 03-E-0106

within sixty (60) days from the mailing of the Notice of Redetermination. **You have sixty (60) days from the mailing of the Notice of Redetermination to file your Objection.** Please also sign and return the Acknowledgment of Receipt form and mail a copy of the Objection to the Liquidator while maintaining copies of all documents for your reference.

IF YOU DO NOT FILE AN OBJECTION WITH THE COURT WITHIN SIXTY (60) DAYS FROM THE MAILING OF THIS NOTICE OF REDETERMINATION, YOU MAY NOT FURTHER OBJECT TO THE DETERMINATION.

A timely filed Objection will be treated as a Disputed Claim and will be referred to the Liquidation Clerk's Office for adjudication by a Referee in accordance with the Procedures.

3. You must notify The Home of any changes in your mailing address. This will ensure your participation in future distributions, as applicable. For purposes of keeping The

Home informed of your current address, please notify us at the address given on the letterhead above.

Sincerely yours,

Peter Bengelsdorf, Special Deputy Liquidator
For Roger A. Sevigny, Liquidator
of THE HOME INSURANCE COMPANY

THE HOME INSURANCE COMPANY IN LIQUIDATION

P.O. Box 1720

Manchester, New Hampshire 03105-1720

Tel: (800) 347-0014

POC #: EMPL713583

Allowance : \$ Deferred

Linda Faye Peoples
P.O. Box 974
Fresno, Texas 77545

ACKNOWLEDGMENT OF RECEIPT CLASS V

I hereby acknowledge receipt of the Notice of Redetermination as a Class V Creditor claim and confirm that I understand the content thereof. I further acknowledge and confirm that I understand the Instructions regarding the Notice of Redetermination of my Claim against The Home Insurance Company in Liquidation and in that regard advise as follows:

(Check off all applicable items.)

I agree to the Redetermination.

I reject the Redetermination and intend to file an Objection with the Court. (Specific reasons must be included along with return of the signed Acknowledgement).

I request that The Home mail further correspondence to:

Same name as above.

New name _____

Same address as above.

New address _____

This Acknowledgment of Receipt must be completed, signed and returned to The Home in order to be eligible for distributions from The Home estate as directed by the Court.

Signature: Linda F. Peoples

Printed Name: Linda Faye Peoples

Title: _____

Date: _____

December 13, 2011

Office of the Clerk, Merrimack County Superior Court
163 N. Main Street, P.O. Box 2880
Concord, New Hampshire 03301-2880
Attention: The Home Docket No. 03-E-0106

Dear Sirs:

This letter is in regards to POC #: EMPL713583 ~ Allowance: \$ Deferred.

I am, again, disputing the Redetermination class. I strongly feel that my case should be classified as Class II or above. (Please see initial dispute letter attached).

As per my correspondences with Art Wilson, it was stated that no specific dollar amount was declared. Please note that I am declaring a gross amount owed to me from The Home Insurance Company In Liquidation in the amount of 1.5 million USD.

Should you need any further information from me, please don't hesitate to contact me at P.O. 974, Fresno, TX 77545 (in writing) or 713.396.6139 (by phone).

Regards,



Linda Faye Peoples
EMPL713583