

Brief

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: 2009-HICIL-47
Proof of Claim Number: CLMN377962-01
Claimant Name: Robert H. Hines**

I, Robert H. Hines, claimant, was unable to participate in the Structuring Conference Order issued January 28, 2011, and is now submitting this brief pursuant to Section 15 of the Restated and Revised Order Establishing Procedures Regarding Claims Filed With the Home Insurance Company In Liquidation entered January 19, 2005 ("Claims Procedures Order").

To the Merrimack County Superior Court in the state of New Hampshire, Merrimack SS., and the Court-Appointed Referee, Melinda S. Gehris and Liquidation Clerk Raelynn Armstrong.

I Robert H. Hines worked for the City of Brooklyn Park in the state of Minnesota starting in 1977. I worked as a field inspector on construction as the person who actually went into the construction sites and physically looked at the aspects of footings, foundations, framings, insulation, heating, boiler systems, cooling systems, firewalls and separations, fire suppression sprinkler systems, roofing systems, etc. I inspected every aspect of construction except electrical. I was a state licensed Building Official and my number was 0972. I had the same authority as a police officer, but I enforced a different set of laws and codes.

I was diagnosed with Asbestosis in 1994, as stated in my medical records (as per Exhibit H, pages 1 & 2). I feel very depressed and let down by the system for whom I served. I had insurance that for 8 ½ years refused to give me a settlement, and they even tried to say I didn't have my health problems from asbestos. This company (Home) made me jump through hoop after hoop to stand up for myself when I was going through physical and mental disaster in my life. They kept prolonging the issue or sent me to another doctor or another lung test. I had to have a valve replacement in my heart because of my lungs and it is titanium which echoes in my ears with every heartbeat. I have a hard time breathing, sleeping, etc.

I cannot believe, when a company should be granting me a large settlement, they file for bankruptcy! Because of their filing for bankruptcy, I had to settle for less with the City of Brooklyn Park which was set preference by state law. So, because of their bankruptcy, I was cheated out of a larger settlement and I hope the court finds that my statements are

honest and factual. I am the victim here and need financial help to live a decent quality of life.

I watch a lot of television and news now, and it really upsets me to watch "American Greed" and see how the CEO's, owners of companies, and Chairman of the Boards, take outrageous salaries and bonuses every year. I bet the individuals who owned "Home" have their coffers full. So, as I struggle to live with the burden I received, knowing the company that was supposed to financially protect me, is trying to worm their way out of paying a fair and proper amount of money which will help me live with a decent quality of life.

I hope and beg that the system I supported will support me in this time of need and that justice will prevail.

Respectfully submitted,



Robert H. Hines
1831 Brookdale Court
Brooklyn Park, MN 55444
763-566-0911

April 12th 2011

Date

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: 2009-HICIL-47
Proof of Claim Number: CLMN377962-01
Claimant Name: Robert H. Hines
Claimant Number:
Policy or Contract Number:
Date Of Loss:

SCHEDULING ORDER

A telephonic structuring conference was held in this matter on January 28, 2011. Mr. Hines did not participate in the structuring conference.

The issue before the Referee is whether the Stipulation for Settlement filed in the State of Minnesota Workers Compensation Section between Robert H. Hines, Becky Jo Hines, the City of Brooklyn Park, HeathPartners and the Special Compensation Fund precludes Mr. Hines from proceeding with a claim for workers compensation benefits against the Liquidator.

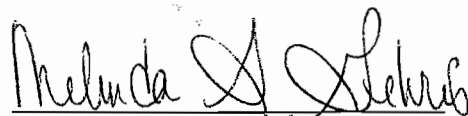
The Liquidator shall file a brief addressing this issue on or before March 4, 2011. Mr. Hines shall file a brief addressing this issue on or before April 15. Any party seeking a telephonic argument on the issue must file a motion for such hearing by April 25.

The Liquidator has indicated no need for discovery. Should Mr. Hines request discovery on the issue before the Referee, he may file a request with the Liquidator on or before March 14.

So ordered.

Date:

1/28/2011


Referee, Melinda S. Gehris

March 8, 2010

Re: NOTICE OF DETERMINATION
Proof of Claim No.: CLMN377962-01
ROBERT H. HINES

TO: The Judge and Appointed Clerk

I am not an attorney so please bear in mind the words used are from my understanding of word definitions, which is limited, but I'll give it a try. I am on numerous medications and sprays for my lungs & heart. I was diagnosed with asbestosis and with the lack of oxygen, my heart was affected which led to a partial enlarged heart with a titanium aortic valve placed in my heart to keep me alive. I struggled for years with shortness of breath, low oxygen levels and heart exertion problems.

I am the victim here – I am the person who is suffering and find it difficult to even focus on writing this document.

I find the determination summary completely outrageous and unfair to what must be done to correct this injustice. I worked as a Building Official (number 0972) with the State of Minnesota. My years of service were from 1977 until January 2000.

Because I was diagnosed with asbestosis in 1994, I still worked for another six years, until I was physically and mentally unable to do my job. The City of Brooklyn Park was my employer.

The State of Minnesota laws require Workman's Compensation for their employees. That is where the Home Insurance Company comes into play. The City contracted with them to insure their employees of which I was one. It took over eight years of waiting for me to come to a forced settlement – I say forced because the insurance company filed bankruptcy so instead of getting a large settlement from the insurance company, I was deprived of an adequate amount, because of the state law.

Because I worked for a larger city which exceeded amount of funds, I was forced to accept \$25,000 which is the maximum by law I could collect from the City of Brooklyn Park. I asked why that is. The answer was my insurance company went into bankruptcy. I was forced to accept a small portion of money.

I filed a claim on my own and now I receive this determination summary which states I was not the primary payee on the insurance, so if any money is paid it will go to the City up to the amount of \$25,000.

First of all, I am the one who is the victim – I am sick and my life will be cut short. It is my Worker's Comp which is part of the contract of my state benefits. I wanted \$500,000, not \$25,000, so why should an insurance company who collected money on my behalf from the City, get out of paying me what is due me? Even though the City paid for my insurance does not

Robert H. Hines, Signature



NOTICE OF DETERMINATION
Proof of Claim No.: CLMN377962-01
ROBERT H. HINES

mean they should get a benefit for my misfortune. If there is any money in the liquidation, it should go to the victims, which I am.

Thank you Judge and Clerk for a quick and just result to this unfair and unjust determination summary that I received in the mail. I can only hope all of you will do the right thing and come to a fair and just conclusion.

Robert H. Hines
1831 Brookdale Court
Brooklyn Park, MN 55444
763-566-0911

Robert H. Hines, Signature

