## 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: 2005-HICIL-14

Proof of Claim Number: AMBC 465096

**AMBC 464386 INTL 277878** 

**AMBC 465074** 

Claimant Name: Century Indemnity Company

Policyholder account Vernay Laboratories, Inc. ("Vernay")

## JOINT REQUEST TO DEEM CIC'S CLAIM REGARDING **VERNAY A MATTER IN A DISPUTED CLAIM PROCEEDING**

In accordance with paragraph 6 of the Joint Report dated March 31, 2006, Roger A. Sevigny, Commissioner of Insurance for the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company ("Home"), and Century Indemnity Company ("CIC"), jointly request that the Referee order that CIC's claim regarding Vernay be deemed a matter in a disputed claim proceeding and treated as such under the RSA and the Claims Procedures Order and that a structuring conference be scheduled on the matter. As reasons therefor, the parties state:

- 1. CIC presented its claim regarding Vernay to the Liquidator in letters dated April 23, 2007 and May 29, 2007. The Liquidator requested that CIC substantiate the claim in several letters beginning with a letter dated April 26, 2007, and CIC provided responses in several letters.
- 2. In a letter dated October 12, 2007, the Liquidator disallowed CIC's claim regarding Vernay.

3. Paragraph 6 of the Joint Report provides in pertinent part that should the Liquidator disallow or partially disallow any claim "it is agreed that the parties will jointly seek an order from the Referee that this matter be deemed a disputed claim proceeding and treated as such under the RSA and the Claims Procedures Order."

4. The parties accordingly jointly request that CIC's claim regarding Vernay be deemed a matter in a disputed claim proceeding and treated as such under the RSA and the Claims Procedures Order. Accordingly, a structuring conference should be scheduled regarding the matter under section 14 of the Claims Procedures Order.

WHEREFORE, the parties jointly request that the Referee (1) issue an order that CIC's claim regarding Vernay be deemed a matter in a disputed claim proceeding and treated as such under the RSA and the Claims Procedures Order, and (2) schedule a structuring conference on the matter in accordance with section 14 of the Claims Procedures Order.

ROGER A. SEVIGNY, COMMISSIONER OF INSURANCE OF THE STATE OF NEW HAMPSHIRE SOLELY AS LIQUIDATOR OF THE HOME INSURANCE COMPANY,

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October (8, 2007