

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: AMBC465096

AMBC464386

INTL277878

AMBC465074

Claimant Name: Century Indemnity Company

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

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 concerning Kentile Floors, Inc. ("Kentile") 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. This joint request follows the procedure established under paragraph 6 of the Joint Report dated March 31, 2006. As reasons therefor, the parties state:

1. CIC presented claims regarding Kentile to the Liquidator by letter dated June 28, 2006. The Liquidator asked questions regarding the claims in correspondence including letters dated August 30, 2006, February 7, 2007 and July 17, 2007. CIC responded in correspondence including letters dated December 21, 2006, April 18, 2007 and September 14, 2007.
2. In a Claim Determination dated September 21, 2010, the Liquidator partially disallowed CIC's claim regarding Kentile. The potentially allowed part concerned defense costs with respect to one policy.

3. By letter dated October 18, 2010, CIC requested that the Liquidator reconsider the determination. By letter dated December 17, 2010, the Liquidator determined his position remained unchanged.

4. By letter dated January 14, 2011, CIC made a submission concerning the amount of defense costs with respect to the one policy. By letter dated January 28, 2011, the Liquidator disagreed with CIC's submission.

5. Accordingly, the Kentile claim should be determined in a disputed claim proceeding.

6. Paragraph 6 of the Joint Report in 2005-HICIL-14 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."

7. The parties agree that CIC's claim regarding Kentile should 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 Kentile 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,
By his attorneys,
MICHAEL A. DELANEY
ATTORNEY GENERAL

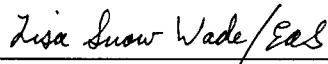
CENTURY INDEMNITY COMPANY

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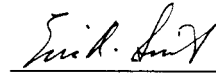
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February 7, 2011

Certificate of Service

I hereby certify that the foregoing was served by email on counsel for CIC this 7th day of February, 2011.



Eric A. Smith