

**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: 2008-HICIL-41**

**Proof of Claim Number: CLMN712396-01**

**Claimant Name: Harry L. Bowles**

**LIQUIDATOR'S SUPPLEMENT TO  
RESPONSE TO ORDER REGARDING DISCOVERY**

Roger A. Sevigny, Commissioner of Insurance of the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company ("Home"), hereby supplements his June 30, 2009 Response to Order Regarding Discovery.

1. In paragraph 3 of the Response, the Liquidator noted that he had requested additional responsive documents, if any, from the Texas Property and Casualty Insurance Guaranty Association ("TPCIGA"), which has the claim file. TPCIGA has now provided additional responsive documents as specified below.

2. Request b:

Copies of any claims made by Bowles against BPS and related insureds.

TPCIGA has provided letters from Mr. Bowles to Mr. Bishop dated March 17, 21 and 22, 1994 and April 5 and 7, 1994.

3. Request c:

Copies of any POCs or demands for defense and indemnity from Home made by any 'insureds' in Home Insurance Policy No. LPL-F871578.

The Liquidator construes this request to refer to POCs or demands regarding Mr. Bowles. TPCIGA has provided letters from George Bishop to Home dated January 17, 1994 and

March 23, 1994 (with material unrelated to Mr. Bowles redacted), a letter from Charles Peterson to Home dated January 16, 1996, and a letter from David Sharp to Home dated January 17, 1996 (with material related to handling of the case redacted).

4. Request e:

Copies of all documents whereby the Liquidator of Home Insurance Company forwarded a Bowles' claim to TPCIGA for handling under provisions of Home Insurance Policy No. LPL-F871578.

TPCIGA has provided the inventory sheet from the box of claim files.

5. Request j:

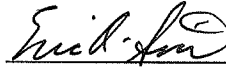
A copy of the employment contract or agreement whereby TPCIGA retained Houston law firm Marshall & McCracken P.C. to intervene in defense of Home Policy No. LPL-F871578 in Cause No. 1995-43235 pursuant to authority from the Liquidator to do so.

The Liquidator objects to the request's assertions that the firm was retained to "intervene" in the litigation (on information and belief TPCIGA would have retained the firm to provide a defense to the insureds) and that any retainer was pursuant to authority from the Liquidator (no such authority was required, requested or given as TPCIGA operates pursuant to its own statutory authority). Construing the request to seek any retainer agreement between TPCIGA and the firm regarding Cause No. 1995-43235, TPCIGA provided a copy of the August 11, 2005 retainer letter (in redacted form due to attorney-client privilege).

Respectfully submitted,

ROGER A. SEVIGNY, COMMISSIONER  
OF INSURANCE OF THE STATE OF  
NEW HAMPSHIRE, SOLELY AS  
LIQUIDATOR OF THE HOME  
INSURANCE COMPANY,  
By his attorneys,  
KELLY A. AYOTTE  
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July 14, 2009

### Certificate of Service

I hereby certify that a copy of the foregoing Liquidator's Supplement to Response to Order Regarding Discovery was sent by email to Claimant on July 14, 2009. A hard copy enclosing the documents being produced was also sent by first class mail on July 14, 2009.



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Eric A. Smith  
NH Bar ID No. 16952