

THE STATE OF NEW HAMPSHIRE
BEFORE THE COURT APPOINTED REFEREE
IN THE MATTER OF THE LIQUIDATION OF THE HOME INSURANCE COMPANY
DISPUTED CLAIMS DOCKET

In re Liquidator Number: 2019-HICIL-62
Proof of Claim Numbers: INSU703957-1 and INSU703968
Claimant Name: PolyOne Corporation

CLAIMANT'S PROPOSED STRUCTURING CONFERENCE ORDER

Claimant PolyOne Corporation proposes the following Structuring Conference Order:

Date of Notice of Disputed Claim: September 4, 2019

Date of Conference: _____, 2019

Claimant: PolyOne Corporation

Claimant's Counsel: Michael J. Tierney, Esq., Wadleigh, Starr & Peters, P.L.L.C. and Paul K. Stockman, Esq., Kazmarek Mowrey Cloud Laseter LLP

Liquidator:

Liquidator's Counsel: J. Christopher Marshall, Esq., New Hampshire Department of Justice and Eric A. Smith, Esq., Rackemann, Sawyer & Brewster, P.C.

Other Participant: Goodrich Corporation

Counsel for Other Participant: J. Chase Johnson, Esq., Covington & Burling

Mandatory Disclosures Received: November 5, 2019 by the Liquidation Clerk, counsel for the Liquidator, and counsel for the Other Participant

no!

BIFURCATION:

NOTES: PolyOne believes that bifurcation is *not appropriate*, and will file a formal opposition to the Liquidator's request for bifurcation within 10 days. The early resolution of certain significant legal issues will *not* materially advance the resolution of this dispute. None of the key legal issues will be wholly dispositive of PolyOne's claims if resolved in the Liquidator's favor. Further, because of the value of the claims at issue, the losing party will almost certainly seek further review of the Referee's determinations on any threshold legal issues (including an appeal to the New Hampshire Supreme Court). As a result, bifurcation would only delay and prolong the proceedings (perhaps by years), would necessarily require further proceedings on remand after appellate review, and so would increase the legal costs of all parties.

SMALL CLAIM:Oral Argument Yes No Oral Argument Date: _____**DISPUTED CLAIM W/O EVIDENTIARY HEARING:**

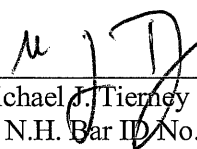
Claimant's written submission to support POC due: _____

Liquidator's response to Claimant submission due: _____

Participant's response to Claimant submission due: _____

Case File Requested Yes NoOral Argument Yes No**DISPUTED CLAIM WITH EVIDENTIARY HEARING:**Evidentiary Hearing Date: **On or after September 9, 2020**Trial Management Conference Date: **On or after August 24, 2020**Pre-hearing briefs disputed issues of law due: **August 21, 2020**Pre-hearing motions due: **August 7, 2020**N.H. Superior Court Rule 62 Pre-hearing statements due: **July 31, 2020**Completion of all discovery: **July 17, 2020**Disclosure and Depositions of Liquidator's Expert(s): **July 17, 2020**Disclosure and Depositions of Claimant's Expert(s): **June 12, 2020**Disclosure and Depositions of Non-Expert(s): **May 15, 2020****NOTES: PolyOne proposes that all document and interrogatory discovery be completed by April 9, 2020.**

Respectfully submitted,



Dated: December 3, 2019

Michael J. Tierney
 N.H. Bar ID No. 17173
 WADLEIGH, STARR & PETERS, P.L.L.C.
 95 Market Street
 Manchester, NH 03101
 (603) 669-4140
 mtierney@wadleighlaw.com

Paul K. Stockman
 admitted *pro hac vice*
 KAZMAREK MOWREY CLOUD LASETER, LLP

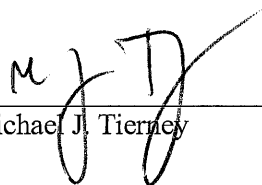
One PPG Place, Suite 3100
Pittsburgh, PA 15222
(404) 333-0752
pstockman@kmcllaw.com

Counsel for PolyOne Corporation

CERTIFICATE OF SERVICE

I certify that today I am serving a true and correct copy of the foregoing upon Eric A. Smith, Esq. and J. Christopher Marshall, Esq., (counsel to the Liquidator) and J. Chase Johnson, Esq. (counsel for Goodrich Corporation).

Date: December 3, 2019



Michael J. Tierney