

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
Matter KENTILE

JOINT MOTION TO EXTEND SCHEDULE

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 move that the Referee enter an order extending the schedule for discovery and briefing as set forth below. As reasons therefor, the parties state:

1. On March 10, 2011, the Referee issued a scheduling order in this matter setting forth a schedule for discovery and briefing with respect to CIC’s claim regarding Kentile.
2. The parties exchanged written discovery requests and provided interrogatory responses and written document responses in accordance with the schedule. However, the actual production of documents and preparation of privilege logs proved complicated and extended into August 2011, which was longer than implicitly assumed in the original schedule.
3. The parties have each now raised issues concerning the other’s production of documents, including issues concerning privileges or other grounds for withholding of documents. The parties are attempting to work through these issues, but need more time to do so and, potentially, to seek resolution from the Referee if necessary.

4. The parties accordingly request that the deposition deadline in this matter be extended to allow time for these issues to be addressed. It would be inefficient and uneconomical to conduct depositions before production/privilege issues are resolved, as that might result in requests to re-depose witnesses.

5. The parties have conferred regarding the appropriate extension of time in light of the schedules of the witnesses and counsel.

6. In the circumstances, the parties jointly propose that the time for completion of depositions be extended to December 2, 2011 with the times for briefing being similarly extended. This results in the following proposed schedule:

December 2, 2011 - close of factual discovery/completion of depositions

December 9, 2011 - each party to advise whether they will use an expert witness(es)

- If a party advises that it will use an expert witness, that party will propose a modification to the schedule along with its notification
- If neither party advises that it will use an expert, the briefing schedule will be as follows:

January 6, 2012 - Deadline for CIC to file its brief

February 10, 2012 - Deadline for Liquidator to file its brief

March 9, 2012 - Deadline for CIC to file its reply brief

March 9, 2012 - Deadline for parties to file motions for evidentiary hearings and/or oral argument

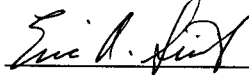
WHEREFORE, the parties jointly request that this motion be granted and that the Referee enter an order extending the schedule in this matter to that set forth in paragraph 6 above.

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

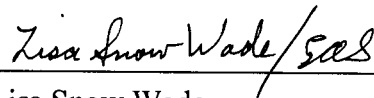
CENTURY INDEMNITY COMPANY

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September 9, 2011

Certificate of Service

I hereby certify that the foregoing was served by email on counsel for CIC this 9th day of September, 2011.



Eric A. Smith