

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:** 2019-HICIL-62

**Proof of Claim Number:** INSU703957-1 and  
INSU703968

**Claimant Name:** PolyOne Corporation

**JOINT PROPOSED STRUCTURING CONFERENCE ORDER**

Alexander K. Feldvebel, Acting Insurance Commissioner for the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), Claimant PolyOne Corporation, and Participant Goodrich Corporation jointly propose the following Structuring Conference Order:

**Date of Notice of Disputed Claim:** September 4, 2019

**Date of Conference:** February 14, 2020

**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:** Alexander K. Feldvebel, Acting Insurance Commissioner for the State of New Hampshire

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

**Other Participant:** Goodrich Corporation

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

**Case File Received:** Yes. Case File (including Confidential Material) provided to counsel for Claimant on October 7, 2019; Case File with Confidential Material Removed

provided to Liquidation Clerk and counsel for Claimant and Other Participant on November 25, 2019; Confidential Case File filed under seal with Liquidation Clerk and provided to counsel for Claimant and Other Participant on January 30, 2019

**Mandatory Disclosures Received:** Yes. Mandatory Disclosures provided to Liquidation Clerk and counsel for the Liquidator and Other Participant on November 5, 2019

**No** **BIFURCATION**

**NOTES:** The Liquidator's Request to Bifurcate Proceedings was denied January 29, 2020.

**SMALL CLAIM:**

**No** Argument  Yes  No Oral Argument Date: \_\_\_\_\_

**DISPUTED CLAIM W/O EVIDENTIARY HEARING**

**NOTES:** The parties do not necessarily agree that this disputed claim can be determined without the resolution of disputed issues of fact. Accordingly, the parties stipulate and agree that Claimant's right to request an evidentiary hearing under Claims Procedures Order § 11 is reserved. The parties will consult at the close of discovery concerning the existence of material disputed issues of fact and next steps. In the event of disagreement concerning the structuring of proceedings, the parties agree that all parties reserve their rights to raise the structuring of further proceedings with the Referee at that time.

1. Initial written discovery requests (requests for production of documents and interrogatories) due: **Friday, March 6, 2020**
2. Responses to written discovery requests due: **Tuesday, April 7, 2020**
3. Document and interrogatory discovery to be completed by: **Wednesday, May 20, 2020**
4. Depositions of non-experts to be completed by: **Wednesday, July 3, 2020**
5. Claimant's expert disclosures (if any) due: **Thursday, August 6, 2020**
6. Liquidator's expert disclosures (if any) due: **Friday, September 18, 2020**

- 7. Expert depositions (if any) completed: **Tuesday, October 20, 2020**
- 8. Claimant’s Section 15 Submission due: **Thursday, November 19, 2020\***
- 9. Liquidator’s Section 15 Submission due: **Friday, December 18, 2020\***
- 10. Claimant’s reply due: **Friday, January 8, 2021\***
- 11. If necessary, evidentiary hearing following Referee’s decision on Section 15 or Section 16 submissions.\*

Case File Requested  Yes  No

Oral Argument  Yes  No

**DISPUTED CLAIM WITH EVIDENTIARY HEARING**

Evidentiary Hearing Date:

Trial Management Conference Date:

Pre-hearing briefs disputed issues of law due:

Pre-hearing motions due:

N.H. Superior Court Rule 62 Pre-hearing statements due:

Completion of all discovery:

Disclosure and Depositions of Liquidator's Expert(s):

Disclosure and Depositions of Claimant's Expert(s):

Disclosure and Depositions of Non-Expert(s):

**NOTES:**

**So Ordered.**

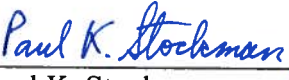

\_\_\_\_\_, 2020

\_\_\_\_\_  
Referee



\* See Notes above. If an evidentiary hearing is necessary, the parties anticipate a comparable schedule for the filing of Section 16 pre-hearing statements and pre-hearing briefs.

Respectfully submitted,

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

 / *by permission*  
  
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*

 / *by permission*  
  
Scott Levitt  
*Pro hac vice* application forthcoming  
COVINGTON & BURLING  
850 Tenth Street, N.W.  
Washington, DC 20001  
(202) 662-6000  
slevitt@cov.com

*Counsel for Goodrich Corporation*

J. Christopher Marshall  
N.H. Bar ID No. 1619  
NEW HAMPSHIRE DEPARTMENT OF JUSTICE  
Civil Division  
33 Capitol Street  
Concord, NH 03301-6397  
(603) 271-3650  
christopher.marshall@doj.nh.gov



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Eric A. Smith  
N.H. Bar ID No. 16952  
Margaret A Capp  
admitted *pro hac vice*  
RACKEMANN, SAWYER & BREWSTER P.C.  
160 Federal Street  
Boston, MA 02110  
(617) 542-2300  
esmith@rackemann.com

*Counsel for the Liquidator*

**Certificate of Service**

I hereby certify that the foregoing was served by email on counsel for Goodrich and counsel for PolyOne this 14th day of February, 2020.



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Eric A. Smith