

**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-40  
Proof of Claim Number: INTL 700695-38  
Claimant Name: Unionamerica Insurance Company Ltd.  
Claimant Number:  
Policy or Contract Number:  
Date of Loss:

**MOTION TO PARTICPATE**

1. Century Indemnity Company ("CIC") respectfully submits this motion to participate in the above-captioned disputed claim proceeding.
2. CIC's right to participate arises pursuant to paragraph 9(b) of the Restated and Revised Order Establishing Procedures Regarding Claims Filed with The Home Insurance Company in Liquidation, dated January 19, 2005. This right has been assented to by the Liquidator of Home under paragraph 2.13 of the Claims Protocol, approved by the Court on November 12, 2004. The Claims Protocol is the product of extensive negotiations between the Liquidator and CIC, and describes the process for CIC's continued undertaking of Home's administration and service obligations under the Insurance and Reinsurance Assumption Agreement, dated January 31, 1984 and the Reinsurance Treaty and Management Agreement, dated January 31, 1984.
3. CIC's right to interpose defenses in this proceeding on behalf of Home arises under the Insurance and Reinsurance Assumption Agreement.

Dated: January 26, 2009

Respectfully submitted,



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-and-

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*Attorneys for Century Indemnity Company*

**Certificate of Service**

I, Lisa Snow Wade, Esq., hereby certify that on this 26<sup>th</sup> day of January, 2009, I caused a copy of the foregoing to be forwarded by e-mail to J. David Leslie, Esq. (dleslie@rackemann.com) and Dave Gallivan (dgalliva@stpaultravelers.com).



Lisa Snow Wade (NH Bar #5595)