

THE STATE OF NEW HAMPSHIRE

MERRIMACK COUNTY

SUPERIOR COURT

GONYA

V.

SEVIGNY

Docket No: 04-E-208

Before: Honorable Kathleen A. McGuire

Steno: Brenda Hancock

Date: NOVEMBER 5, 2004

Plaintiff's Exhibit List:

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None

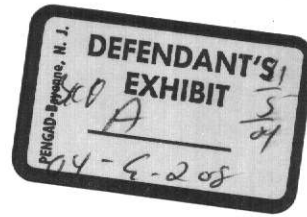
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Defendant's Exhibit List:

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A NAIC Model Laws, Regulations and  
Guidelines

B Laws and Legislation Committee report



# Model Laws Regulations and Guidelines

# NAIC

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National Association of Insurance Commissioners

**Volume III**  
(includes Update #68, July 2004)

Rehabilitation and Liquidation Model Act

**Section 66. Separability**

If any provision of this Act or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section 67. Effective Date**

This Act shall take effect immediately.

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*Legislative History (all references are to the Proceedings of the NAIC).*

1936 Proc. I 29, 30-32, 33 (adopted first liquidation statute).  
1969 Proc. I 168, 241, 271 (recommended the adoption of the Wisconsin Liquidation Act by states).  
1978 Proc. I 13, 15, 211, 238-241, 242-275 (adopted new model).  
1986 Proc. II 410-411 (amendments adopted later are printed here).  
1987 Proc. I 11, 18, 161, 420-421, 423-424 (amended).  
1989 Proc. II 13, 23, 227-228, 338, 379-381 (amended).  
1990 Proc. I 6, 26, 172, 398, 407-410 (amended).  
1990 Proc. II 7, 14-15, 202-204, 224-251, 529-531 (amended and reprinted).  
1991 Proc. II 25, 56-57, 322, 560, 577, 604 (amended).  
1992 Proc. I 77, 78-79, 769 (amended at special plenary session in September 1991).  
1993 Proc. I 8, 136, 277, 741, 746-748 (amended).  
1994 Proc. 4<sup>th</sup> Quarter 14, 20, 593-594, 596-634 (amended and reprinted).  
1996 Proc. 1<sup>st</sup> Quarter 29-30, 123, 562, 565-566 (amended).  
1996 Proc. 4<sup>th</sup> Quarter 9, 44, 938, 945, 953-955 (amended).  
1997 Proc. 2<sup>nd</sup> Quarter 25-26, 539-546 (amended).  
1997 Proc. 3<sup>rd</sup> Quarter 25, 26, 1076, 1124, 1124-1126 (amended).  
1999 Proc. 4<sup>th</sup> Quarter (amended).

DEFENDANT'S  
EXHIBIT  
B 5  
04  
04-8-28

To Study Procedures of Reorganization, Receivership and Liquidation  
(D4) Subcom. Report  
(Mtg. 28)  
(Formerly (D5) Subcom.)

The (D4) Subcommittee met at 2:30 P.M., Monday, December 2, 1968 in the Pacific Room of the Century Plaza Hotel. A quorum was present.

The following report to the parent committee was adopted: "Resolved that the Liquidation Act adopted by the State of Wisconsin be recommended as the basis for model legislation in the various states replacing the current uniform National Association of Insurance Commissioners resolution in this respect and further that this committee now be discharged."

Hon. John F. Bolton, Jr., Chm., Ill. by Donald Karnes; Hon. Allan W. Horne, Ark.; Hon. Benjamin C. Neff, Jr., Neb.; Hon. Louis T. Mastos, Nev.; Hon. Durwood Manford, Tex.; Hon. Robert D. Haase, Wis.

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PRESIDENT HOWELL: The next item on our agenda is report of the Laws and Legislation (D) Committee meeting. Commissioner David M. Pack, Chairman of this Committee, will give the report.

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LAWS AND LEGISLATION (D) COMMITTEE

AGENDA—MTG. #41

WEDNESDAY A.M.

DECEMBER 4, 1968

10:30-12:00

SANTA MONICA ROOM

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Reference

1968 Proc. VOL. II pp. 497-567

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1. To Draft Model Legislation Relating to Insurance Holding Companies (D1) Subcom. Report (Mtg. 15)  
(Formerly (D2) Subcom.)  
Hon. Benjamin C. Neff, Jr., Chm., Nebraska  
Refs: 1966 Proc. VOL. II pp. 299; 308-310  
1967 Proc. VOL. I p. 105  
1967 Proc. VOL. II p. 365  
1968 Proc. VOL. I p. 117  
1968 Proc. VOL. II pp. 503-506
2. To Make Recommendations, Including Drafting of Model Legislation if Necessary, to Regulate Long Term Credit Insurance (D2) Subcom. Report (Mtg. #20)  
(Formerly (D3) Subcom.)  
Hon. William G. Walton, Chm., Wyom.  
Refs: 1967 Proc. VOL. I pp. 105-108  
1967 Proc. VOL. II p. 365  
1968 Proc. VOL. I pp. 119-120  
1968 Proc. VOL. II pp. 507-512
3. To Make Recommendations, Including Drafting of Model Legislation if Necessary, Dealing with Unauthorized Insurers (D3) Subcom. Report (Mtg. #24)  
(Formerly (D4) Subcom.)  
Hon. James R. Faulstich, Chm., Oregon  
Refs: 1967 Proc. VOL. I pp. 216-217  
1967 Proc. VOL. II pp. 365-366  
1968 Proc. VOL. I p. 121  
1968 Proc. VOL. II pp. 513-556
4. To Study Procedures of Reorganization, Receivership and Liquidation (D4) Subcom. Report (Mtg. #28)  
(Formerly (D5) Subcom.)  
Hon. John F. Bolton, Jr., Chm., Ill.  
Refs: 1936 Proc. pp. 30-32 (Uniform Liquidation Act—14 States & Puerto Rico)  
1967 Proc. VOL. I p. 388  
1968 Proc. VOL. I p. 123  
1968 Proc. VOL. II p. 557