

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

**In the Matter of the Rehabilitation of  
The Home Insurance Company**

**AFFIDAVIT OF ERIC A. SMITH IN SUPPORT OF  
MOTION OF REHABILITATOR TO ADMIT COUNSEL PRO HAC VICE**

I, Eric A. Smith having been duly sworn, make this Affidavit in support of the foregoing motion for special admission as co-counsel on behalf of Paula T. Rogers, Commissioner of Insurance for the State of New Hampshire, as Rehabilitator of The Home Insurance Company, and state as follows:

1. I desire to be specially admitted pro hac vice to the Bar of the State of New Hampshire pursuant to New Hampshire Bar Admission Rule 19, as co-counsel for the Rehabilitator in In the Matter of The Rehabilitation of The Home Insurance Company, No. 03-E-0106, and any related liquidation proceeding for The Home Insurance Company.

2. I am a director and shareholder of the law firm of Rackemann, Sawyer & Brewster, P.C., One Financial Center, Boston, Massachusetts 02111. I received my Juris Doctor degree from Stanford Law School in 1985. I was admitted to the Bar of the Commonwealth of Massachusetts on December 18, 1985. I am admitted to practice before the following federal courts:

**COURT:**

**DATE ADMITTED**

United States Supreme Court	07/16/93
United States Court of Appeals for the First Circuit	02/07/90
United States Court of Appeals for the District of Columbia Circuit	11/14/89
United States District Court for the District of Massachusetts	07/09/86

3. Since the respective dates of these admissions, I have continued to practice in these courts and have at all times remained a member in good standing of the above listed bars. I presently am not, and never have been, the subject of any disbarment or suspension proceeding before these, or any other, courts.

4. Upon my admission to this Court and pursuant to New Hampshire Superior Court Rule 19, I will assist and be associated in this matter with a member of the Bar of New Hampshire, Peter C.L. Roth, Senior Assistant Attorney General for the State of New Hampshire, who will be present at any hearing in this proceeding.

5. The Rehabilitator has asked me to represent her in this proceeding.

6. There is good cause for my special admission to the Bar of the State of New Hampshire.

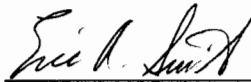
7. My specialization is insurance and insurer insolvency/receivership law, and Rackemann, Sawyer & Brewster, P.C, has been engaged by the Commissioners of Insurance for the Commonwealth of Massachusetts and the State of Vermont to assist in the rehabilitation and/or liquidation of a number of insurance companies. My familiarity and experience with insurance company receiverships will assist in the present proceeding and benefit the Rehabilitator.

8. If specifically admitted to the Bar of this State, I will be admitted solely for the purpose of participating in this particular proceeding and a related proceeding, No. 03-E-0112.

9. I am willing and able to comply with all rules of this Court relating to admission, professional conduct and civil procedure.

10. No good cause exists to deny my special admission as co-counsel in this matter.

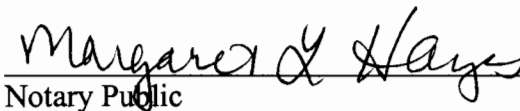
Dated: May 22, 2003



Eric A. Smith  
Rackemann, Sawyer & Brewster, P.C.  
One Financial Center  
Boston, MA 02111  
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COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF SUFFOLK

Personally appeared before me this 22nd day of May, 2003, the above-named Eric A. Smith and swore that the above information is true and correct to the best of his knowledge and belief.

  
Notary Public

**MARGARET L. HAYES**  
NOTARY PUBLIC  
My Commission Expires Sept. 18, 2003