

STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

In the Matter of the Rehabilitation of
The Home Insurance Company

Docket No. 03-E-106

**MOTION FOR COURT APPROVAL OF CONTRACT SECURING SERVICES
OF SPECIAL DEPUTY COMMISSIONER, PETER BENGELSDORF, AND
REQUEST FOR EXPEDITED TREATMENT**

NOW COMES, Paula T. Rogers, Commissioner of the State of New Hampshire Insurance Department ("Department"), in her capacity as Rehabilitator of The Home Insurance Company ("The Home") and respectfully requests court approval of a contract securing the services of a Special Deputy Commissioner pursuant to RSA 402-C:17, I, saying as follows:

1. On March 5, 2003, Paula T. Rogers, Commissioner of Insurance, State of New Hampshire was appointed by this Court to be Rehabilitator of The Home.
2. Pursuant to RSA 402-C:17, I, the Rehabilitator shall make every reasonable effort to employ an active or former senior executive from a successful insurer as a Special Deputy Commissioner to rehabilitate the insurer.
3. Additionally, the Rehabilitator may make such arrangements for compensation as are necessary to retain a Special Deputy Commissioner of proven ability, said arrangement for compensation to be subject to Court approval.

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4. Paula T. Rogers as Rehabilitator of The Home, has secured of the services of Peter Bengelsdorf of 4330 Via Cerritos, Newbury Park, California 91320 to serve as Special Deputy Commissioner.

5. Peter Bengelsdorf is qualified as a former senior executive with a successful insurer and is particularly suited for service in the within matter because of his expertise in finance and operations and because of his familiarity with The Home.

6. A copy of the contract pertaining to and outlining the services Peter Bengelsdorf is attached hereto as Exhibit A. A copy of Mr. Bengelsdorf's resume is attached for hereto as Exhibit B.

7. The concurrence requirements of Superior Court Rule 57-A d not apply to this motion, as there are no other parties to this proceeding. As a courtesy, the Commissioner is serving a copy of this motion on counsel for The Home.

8. The grounds for this motion are stated herein and no separate memorandum is being submitted.

REQUEST FOR EXPEDITED TREATMENT

9. Because the Rehabilitator must address immediate concerns relating to operations of The Home, the Rehabilitator respectfully requests expedited treatment of this motion.

WHEREFORE it is respectfully requested that the Court, after review of the within Motion and attachment as well as the accompanying Affidavit, provide an Order;

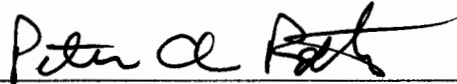
- A. Approving the aforementioned contract, and;
- B. Granting such other further relief as may be necessary.

Respectfully, submitted,

PAULA T. ROGERS, REHABILITATOR
THE HOME INSURANCE COMPANY

By her attorneys,

PETER W. HEED
Attorney General

By 

Peter C. L. Roth
Senior Assistant Attorney General
New Hampshire Department of Justice
33 Capitol Street
Concord, New Hampshire 03301
603.271.3650

March 6, 2003

Certificate of Service

I hereby certify that a copy of the foregoing was served by hand on Martin Honingberg, Esquire at Sulloway and Hollis, PLLC, 9 Capitol Street, Box 1256, Concord, New Hampshire 03302.

John A. Roth

STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

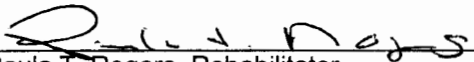
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AFFIDAVIT OF PAULA T. ROGERS, REHABILITATOR

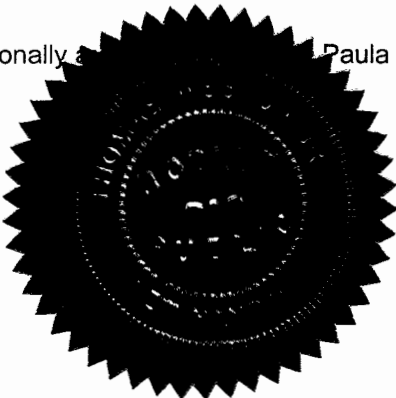
Paula T. Rogers, being first duly sworn, deposes and says:

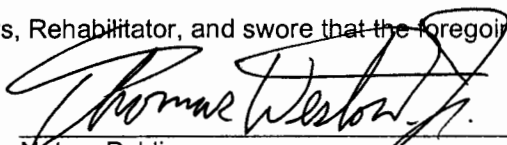
1. I am Commissioner of Insurance for the State of New Hampshire and I was appointed Rehabilitator of The Home Insurance Company by this Court on March 5, 2003.
2. Immediately after being appointed as Rehabilitator of The Home Insurance Company, I explored opportunities to engage a Special Deputy Commissioner to address pressing operational concerns.
3. After consideration of the circumstances relating to The Home Insurance Company, including the need to act expeditiously, and the particular qualifications of Peter Bengelsdorf, I determined that his services as Special Deputy Commissioner would be consistent with the statutory standard outlined in RSA 402-C:17, I.
4. A contract for services has been executed and a copy is attached to the underlying Motion for Court Approval of Contract Securing Services of Special Deputy Commissioner, Peter Benglesdorf, dated March 6, 2003, to which this Affidavit applies.



Paula T. Rogers, Rehabilitator
The Home Insurance Company

Personally and truly sworn to by Paula T. Rogers, Rehabilitator, and swore that the foregoing is true.





Notary Public
My commission expires 3/22/2005