

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

In the Matter of the Liquidation of
The Home Insurance Company

**LIQUIDATOR'S EXPEDITED MOTION TO PLACE MOTION
CONCERNING AGRIPPINA SETTLEMENT UNDER SEAL**

2005 JUN 14 A 9:50

NOW COMES Roger A. Sevigny, Commissioner of Insurance of the State of New Hampshire, as Liquidator of The Home Insurance Company ("Liquidator"), and moves to place the Liquidator's Motion for Approval of Settlement Agreement with Agrippina ("Motion"), including the Settlement Agreement (Agreement") attached as an exhibit to the Motion, and the supporting Affidavit of Jonathan Rosen ("Affidavit") under seal. As reasons therefor, the Liquidator respectfully states:

1. On January 3, 2005, the Liquidator filed the Motion with the Court. The Motion attached the proposed Agreement as an exhibit and was supported by the Affidavit.
2. Agrippina has asserted that the Agreement is to be held confidential and should not have been disclosed by the Motion, including the Affidavit. The Agreement provides that it is confidential but that it is subject to approval of the Court and that it may be disclosed to the Court.
3. In view of Agrippina's assertion, the provisions of the Agreement, and in furtherance of the effort to amicably resolve issues with Agrippina, the Liquidator requests that the Motion, including its exhibit, and the Affidavit be placed under seal and removed from the website.
4. The Liquidator will promptly file a redacted version of the Motion with the Court.

WHEREFORE, the Liquidator respectfully requests that this Court:

- A. Consider on an expedited basis and Grant this Motion to Place Motion Concerning Agrippina Settlement Under Seal;
- B. Enter an Order in the form submitted herewith placing under seal the Liquidator's Motion for Approval of Settlement Agreement with Agrippina, including the Settlement Agreement attached as an exhibit, and the supporting Affidavit of Jonathan Rosen; and
- C. Grant such other and further relief as justice may require.

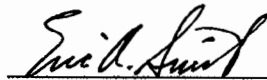
Respectfully submitted,

ROGER A. SEVIGNY, COMMISSIONER OF
INSURANCE OF THE STATE OF NEW HAMPSHIRE,
SOLELY IN HIS CAPACITY AS LIQUIDATOR OF THE
HOME INSURANCE COMPANY,

By his attorneys,

KELLY A. AYOTTE
ATTORNEY GENERAL

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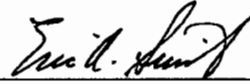


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Eric A. Smith, pro hac vice
Rackemann, Sawyer & Brewster
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(617) 542-2300

January 13, 2005

Certificate of Service

I hereby certify that a copy of the foregoing Expedited Motion to Place Motion Concerning Agrippina Settlement Under Seal was sent, this 13th day of January, 2005, by first class mail, postage prepaid to all persons on the attached service list.



Eric A. Smith

THE STATE OF NEW HAMPSHIRE

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SUPERIOR COURT

In the Matter of the Liquidation of
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THE STATE OF NEW HAMPSHIRE

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SUPERIOR COURT

Docket No. 03-E-0106

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

**ORDER PLACING MOTION CONCERNING
AGRIPPINA SETTLEMENT UNDER SEAL**

On consideration of the expedited motion of Roger A. Sevigny, Commissioner of Insurance of the State of New Hampshire, as Liquidator of The Home Insurance Company ("Liquidator"), to place the Liquidator's Motion for Approval of Settlement Agreement with Agrippina ("Motion"), including the Settlement Agreement (Agreement") attached as an exhibit to the Motion, and the supporting Affidavit of Jonathan Rosen ("Affidavit"), under seal, it is ORDERED that:

The Motion, including the Agreement attached as an exhibit to the Motion, and the Affidavit, are hereby placed under seal. The Motion, Agreement and Affidavit shall be removed from the website. The Liquidator shall promptly file a redacted version of the Motion to be placed on file.

So Ordered.

Dated: _____

Presiding Justice