

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

Docket No. 03-E-0112

In the Matter of the Liquidation of
US International Reinsurance Company

ORDER APPROVING THE DISPOSAL OF CERTAIN RECORDS

On consideration of the third motion of Roger A. Sevigny, Commissioner of Insurance for the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company and U.S. International Reinsurance Company, for an order approving the disposal of records described in the motion and set forth on the attached schedule (the "Records"), and the supporting affidavit of Peter A. Bengelsdorf, it is hereby ORDERED as follows:

1. Disposal of the Records is reasonable, prudent and in the best interests of the liquidation of the Companies;
 2. The Liquidator's Third Motion for Approval of Disposal of Certain Records is GRANTED, and the disposal of the Records is APPROVED, *with the exception that any records on the attached schedule which relate to pending or anticipated litigation shall be retained.*
- So Ordered.

Dated: Aug. 19, 2008

Carol Ann Conway
Presiding Justice

Schedule of Records for Disposal

1. General Categories

- a. Aviation business records dated prior to March 2003 including closed claim files;
- b. Closed claim files with no activity for 20 years for environmental, mass tort and workers' compensation claims or for 10 years for other types of claims;
- c. Corporate risk management records dated prior to 1995;
- d. Facilities management and real estate records for formerly leased or owned properties dated prior to March 2003;
- e. Management and loan records for Home's former mortgage loan portfolio dated prior to March 2003;
- f. Financial reporting records prior to 1990 other than filed statements;
- g. General Counsel's Office files dated prior to March 2003;
- h. Human resources, corporate security and employee relations records dated prior to March 2003 and held beyond any statutorily required retention period;
- i. Consumer complaints records dated prior to March 2003;
- j. Information technology system documentation for no longer used systems or programs;
- k. Claim investigation records dated prior to March 2003;
- l. Investment records for former investments dated prior to March 2003;
- m. Stock records dated prior to March 2003;
- n. Records of City Insurance Co. - UK Branch dated prior to March 2003 consisting of third party administrator ("TPA") system control reports, duplicate regulatory reports, closed arbitration and commutation files, duplicate internal reporting documents, closed reinsurance collections files, correspondence regarding closed claims, and internal TPA communications;
- o. Reinsurance Department files dated prior to March 2003 other than contract files;
- p. Commercial lines rate, rule, form and statistical regulatory filings dated prior to 1997;
- q. Tax, assessment and surcharge reporting records dated prior to March 2003 and held beyond any statutorily required retention period; and
- r. Underwriting and underwriting related records dated prior to March 2003 other than policy files.

2. Records in the following categories addressed in the previous orders approving disposal of records that are dated after the cutoff date in the Court's prior orders but prior to March 2003:

First Order dated December 16, 2004:

- (g) Correspondence files, general subject files and personal expense account files of employees;
- (h) State files regarding residual property markets and FAIR (Fair Access to Insurance Requirements) plans;
- (j) Claim response time reports; and
- (k) Catastrophe bulletins and reports.

Second Order dated August 12, 2005:

- (a) Accounting department records;**
- (f) Third party administrator records;**
- (j) Data processing department reports;**
- (p) Treasury department files; and**
- (q) Human resource department files.**

THE STATE OF NEW HAMPSHIRE
Merrimack County Superior Court

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603 225-5501

NOTICE OF DECISION

PETER C L ROTH ESQ
ATTORNEY GENERAL OFFICE
33 CAPITOL STREET
CONCORD NH 03301-6397

03-E-0106 In the Matter of Rehabilitation of TheHome Insurance Company

Enclosed please find a copy of the Court's Order dated 8/19/2008
relative to:

Court Order
Court Order
Court Order
Court Order

08/20/2008

William McGraw
Clerk of Court

Court Copy (clp)

cc: Roger A. Sevigny, Commissioner of Ins.
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Gail M. Goering, Esq.
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Jim Darnell, Esq.

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