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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

CENTURY INDEMNITY COMPANY'S RESPONSE TO THE LIQUIDATOR'S
SETTLEMENT AGREEMENT WYETH LLC

Century Indemnity Company (on its own behalf and on behalf of the Insurance Company of North America, "CIC"), by its attorneys Orr & Reno, respectfully submits this Response to the Liquidator's Motion for Approval of its Settlement Agreement with Wyeth LLC, formerly known as Wyeth, formerly known as American Home Products Corporation (collectively, "Wyeth") (the "Settlement").

Like the Home Insurance Company and its former, now merged, subsidiary City Insurance Company ("Home"), CIC also issued policies to Wyeth. To the extent that CIC has and/or in the future will make payments to Wyeth, it is CIC's position that nothing in the Liquidator's Settlement affects, alters or in any way negates any current and/or future contribution or subrogation claim against the Home estate in connection with those payments.

The Liquidator recognized that such claims by CIC are preserved. In his motion for the approval of a separate settlement (with the Sauguet Estate and Others), the Liquidator stated:

Century Indemnity Company has submitted a contribution claim in respect of the policies. Unlike third party claimants' claims, a contribution claim is independent of the insured's claims (although derived from the same underlying circumstances), and it will remain to be determined on its own merits in the liquidation proceeding.

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NH SUPERIOR COURT
MERRIMACK COUNTY
CONCORD, NH

Liquidator's Motion for Approval of Settlement Agreement with the Sauget Estate and Others at ¶5 n.1. As a result, any CIC claim for contribution or subrogation in connection with payments made to Wyeth will remain to be determined on its own merits in the Liquidation.

Further, to the extent that the Court approves the Settlement, we would not understand that approval to affect, alter or in any way negate any contribution or subrogation claim against the Home estate in connection with Wyeth. Finally, CIC reserves all of its rights including any rights against all parties; nothing in this statement shall be deemed an admission by CIC or a waiver by CIC of any rights or remedies including, without limitation, claims or defenses.


Respectfully submitted,

CENTURY INDEMNITY COMPANY,
ACE PROPERTY & CASUALTY INSURANCE
COMPANY, PACIFIC EMPLOYERS
INSURANCE COMPANY AND ACE
AMERICAN REINSURANCE COMPANY

By their attorneys,


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Date: May 19, 2010

By 
Lisa Snow Wade (Bar #5595)

CERTIFICATE OF SERVICE

I, Lisa Snow Wade, Esq., hereby certify that on this 19th day of May, 2010, I have caused a copy of the attached document to be forwarded by US Mail to the persons listed on the attached service list.


Lisa Snow Wade

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SUPERIOR COURT

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Docket No. 03-E-0106

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