

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**

[PROPOSED]

**ORDER APPROVING SETTLEMENT AGREEMENT
WITH WESTERN ASBESTOS SETTLEMENT TRUST**

On consideration of the motion of Roger A. Sevigny, Insurance Commissioner for the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for an order approving a Settlement Agreement and Mutual Release (“Settlement Agreement”) between the Western Asbestos Settlement Trust (“Trust”), in its capacity as the sole owner of Western Asbestos Company, and pursuant to the authority granted in the Order Confirming Second Amended Joint Plan of Reorganization and Granting Related Relief as the successor to MacArthur Co. and Western MacArthur Co. to “initiate, prosecute, defend and resolve” all Asbestos Insurance Actions in the name of MacArthur Co., Western MacArthur Co. and/or Western Asbestos Company (collectively, “Claimants”) and the Liquidator, and the supporting Affidavit of Peter A. Bengelsdorf, it is hereby found and ORDERED as follows:

1. The Settlement Agreement is reasonable, prudent, and in the best interests of the liquidation of Home;
2. The Liquidator’s Motion for Approval of Settlement Agreement with Western Asbestos Settlement Trust is granted, and the Settlement Agreement is approved; and
3. The Liquidator’s recommendation concerning the allowance of Western Asbestos Settlement Trust’s proofs of claim is approved, and the Claimants’ claims are allowed as a Class II claim in the aggregate amount of \$242,500,000. All distributions will be made to the Trust.

So Ordered.

Dated: _____

Presiding Justice