

# Sulloway & Hollis

P.L.L.C.  
COUNSELORS AT LAW

REPLY TO: CAPITAL OFFICE  
Fax number: (603) 223-2943  
mhonigberg@sulloway.com

March 23, 2011

FRANK J. SULLOWAY  
(1883-1981)  
FRANKLIN HOLLIS  
(1904-1980)

## HAND DELIVERED

SENIOR COUNSEL  
CHARLES F. SHERIDAN, JR.  
MARTIN L. GROSS  
ROBERT M. LARSEN  
FRED L. POTTER

William S. McGraw, Clerk  
Merrimack County Superior Court  
163 North Main Street  
P.O. Box 2880  
Concord, NH 03302-2880

MICHAEL M. LONERGAN  
EDWARD M. KAPLAN  
IRVING D. GORDON  
MICHAEL P. LEHMAN  
MICHEL A. LAFOND  
PETER F. IMSE  
R. CARL ANDERSON  
DOUGLAS R. CHAMBERLAIN  
MARGARET H. NELSON  
JAMES O. BARNEY  
JAMES E. OWERS  
ROBERT J. LANNEY  
PETER A. MEYER  
JOHN R. HARRINGTON  
RONNA F. WISE  
WILLIAM D. PANDOLPH  
JEANNE L. POOLE  
W. KIRK ABBOTT, JR.  
ELISE H. SALEK  
MARTIN P. HONIGBERG  
SARAH S. MURDOUGH  
PATRICK J. SHEEHAN  
DEREK D. LICK  
MELISSA M. HANLON  
KEVIN M. O'SHEA  
AMY MANZELLI  
BETH G. CATENZA  
JAY SURDUKOWSKI  
STACEY P. COUGHLIN  
NICOLE J. SCHULTZ-PRICE  
KATHERINE DEFOREST  
MATTHEW J. SNYDER

RE: In the Matter of the Liquidation of The Home Insurance Company;  
03-E-0106

Dear Clerk McGraw:

Enclosed is the Assented-To Motion of the *Fuller-Austin* Defendants to Reconsider and Withdraw the Court's Order Granting the Motion to Approve the Settlement Agreement with Western Asbestos Settlement Trust to Give the *Fuller-Austin* Defendants an Opportunity to Respond for filing in the above case.

Thank you for your attention in this matter.

Very truly yours,



Martin P. Honigberg

MPH:kmd  
Enclosure

cc: Counsel of Record (per attached Service List)

ALL ATTORNEYS ADMITTED  
IN NEW HAMPSHIRE

INDIVIDUAL ATTORNEYS  
ADMITTED IN:  
MAINE, VERMONT, FLORIDA  
MASSACHUSETTS, NEW YORK,  
AND OTHER STATES

CAPITAL OFFICE  
9 Capitol Street  
P.O. Box 1256  
Concord, NH 03302  
Tel: 603-224-2341

PORTLAND OFFICE  
477 Congress Street  
5<sup>th</sup> Floor  
Portland, ME 04101  
Tel: 207-253-5141

GORHAM OFFICE  
30 Exchange Street  
P.O. Box 335  
Gorham, NH 03581  
Tel: 603-466-5946

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

**ASSENTED-TO MOTION OF THE *FULLER-AUSTIN* DEFENDANTS TO  
RECONSIDER AND WITHDRAW THE COURT'S ORDER  
GRANTING THE MOTION TO APPROVE THE SETTLEMENT AGREEMENT  
WITH WESTERN ASBESTOS SETTLEMENT TRUST TO GIVE THE  
*FULLER-AUSTIN* DEFENDANTS AN OPPORTUNITY TO RESPOND**

NOW COME Zurich Insurance Company, Zurich American Insurance Company, Zurich-American Insurance Company of Illinois, American Guarantee & Liability Insurance Company, American Zurich Insurance Company, Steadfast Insurance Company, and Orange Stone Reinsurance (the "*Fuller-Austin* Defendants") and request that the Court reconsider and withdraw its order dated March 21, 2011, granting the Liquidator's Motion to Approve the Settlement Agreement with Western Asbestos Settlement Trust ("WAST Settlement") to give the *Fuller-Austin* Defendants time to respond to the Motion.

In support of this motion, the *Fuller-Austin* Defendants state as follows:

1. The Liquidator filed the Motion to Approve the WAST Settlement on or about March 8, 2011.
2. According to the Motion to Approve and its supporting papers, the WAST Settlement does not resolve the action pending in California against the *Fuller-Austin* Defendants in which the Western Asbestos Settlement Trust is a plaintiff.
3. Given the references to the action in California, the *Fuller-Austin* Defendants are analyzing the Motion to Approve and the supporting documentation. There was not enough time

for them to conclude their analysis to determine whether they needed to respond and make an appropriate filing by March 18.

4. Accordingly, the *Fuller-Austin* Defendants contacted the Liquidator and obtained his concurrence in a motion to extend by two weeks – to April 1, 2011 – the deadline for the *Fuller-Austin* Defendants to respond to the Motion to Approve.

5. The *Fuller-Austin* Defendants filed their assented-to motion to extend time on March 16, 2011, and are continuing their review. Unfortunately, the Court issued its Order granting the Motion to Approve on March 21, before the *Fuller-Austin* Defendants were able to respond to the Motion, pursuant to the agreed-upon extended deadline.

7. The Liquidator assents to this Motion and the relief requested herein. While the Liquidator does not concede at this time that the *Fuller-Austin* Defendants have standing to object to the Motion to Approve, he agrees that the Order granting the Motion to Approve should be reconsidered and withdrawn until after April 1, 2011, so that the *Fuller-Austin* Defendants can complete their analysis of the Motion to Approve and its supporting documentation.

WHEREFORE, the *Fuller-Austin* Defendants respectfully request that the Court,

- A. Grant this Motion;
- B. Withdraw the March 21, 2011, Order granting the Liquidator's Motion to Approve the WAST Settlement to give the *Fuller-Austin* Defendants time to respond as contemplated by the parties; and
- C. Grant such other relief as the Court deems appropriate.

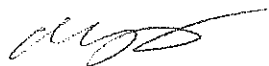
Respectfully submitted,

ZURICH INSURANCE COMPANY, AMERICAN  
GUARANTEE AND LIABILITY INSURANCE  
COMPANY, AMERICAN ZURICH INSURANCE  
COMPANY, ZURICH-AMERICAN INSURANCE  
COMPANY, ZURICH AMERICAN INSURANCE  
COMPANY OF ILLINOIS, STEADFAST  
INSURANCE COMPANY, and ORANGE STONE  
REINSURANCE

By their attorneys,

SULLOWAY & HOLLIS, P.L.L.C.

Dated: March 23, 2011



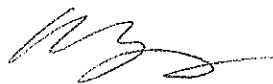
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Martin P. Honigberg, Bar No. 10998  
9 Capitol Street  
P.O. Box 1256  
Concord, NH 03302  
Telephone: (603) 224-2341  
Facsimile: (603) 223-2943

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was sent by first-class mail to the individuals on the attached service list.

Dated: March 23, 2011



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Martin P. Honigberg

STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 03-E-0106

In the Matter of the Liquidation of  
The Home Insurance Company

**SERVICE LIST**

Lisa Snow Wade, Esq.  
Orr & Reno  
One Eagle Square  
P.O. Box 3550  
Concord, NH 03302-3550

Gary S. Lee, Esq.  
James J. DeCristofaro, Esq.  
Kathleen E. Schaaf, Esq.  
Morrison & Foerster  
1290 Avenue of the Americas  
New York, NY 10104-0050

Peter Van Tol, Esq.  
Lovells  
590 Madison Avenue  
New York, New York 10022

Peter G. Callaghan, Esq.  
Preti, Flaherty, Beliveau, Pachos & Haley, PLLP  
57 North Main Street  
P.O. Box 1318  
Concord, NH 03302-1318

George T. Campbell, III, Esq.  
Robert A. Stein, Esq.  
Robert A. Stein & Associates, PLLC  
One Barberry Lane  
P.O. Box 2159  
Concord, NH 03302-2159

Gerald J. Petros, Esq.  
Hinckley, Allen & Snyder LLP  
50 Kennedy Plaza, Suite 1500  
Providence, RI 02903

Christopher H.M. Carter, Esq.  
Hinckley, Allen & Snyder LLP  
11 South Main St., Suite 400  
Concord, NH 03301

Robert M. Horkoviceh, Esq.  
Robert Y. Chung, Esq.  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020

Andrew B. Livernois, Esq.  
Ransmeier & Spellman, P.C.  
One Capitol St., P.O. Box 600  
Concord, NH 03302-0600

John A. Hubbard, Esq.  
615 7<sup>th</sup> Avenue South  
Great Falls, Montana 59405

Adebowale O. Osijo  
2015 East Pontiac Way, Suite 209  
Fresno, CA 93726

Jim Darnell, Esq.  
Jim Darnell, P.C.  
310 N. Mesa Street, Suite 212  
El Paso, TX 79901

Edmond J. Ford, Esq.  
Ford & Weaver, P.A.  
10 Pleasant St., Suite 400  
Portsmouth, NH 03801

Paul W. Kalish, Esq.  
Ellen M. Farrell, Esq.  
Timothy E. Curley, Esq.  
Crowell & Moring  
1001 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2595

David M. Spector, Esq.  
Dennis G. LaGory, Esq.  
Schiff Hardin LLP  
6600 Sears Tower  
Chicago, IL 60606

Michael Cohen, Esq.  
Cohen & Buckley, LLP  
1301 York road  
Baltimore, MD 21093

David H. Simmons, Esq.  
Mary Ann Etzler, Esq.  
De Beaubien, Knight, Simmons, Mantzaris & Neal  
332 North Magnolia Avenue  
P.O. Box 87  
Orlando, FL 32801

Richard Mancino, Esq.  
Wilkie Farr & Gallagher, LLP  
787 Seventh Avenue  
New York, NY 10019

Joseph G. Davis, Esq.  
Wilkie Farr & Gallagher, LLP  
1875 K Street, N.W.  
Washington, D.C. 20006

Albert P. Bedecarre, Esq.  
Quinn Emanuel Urguhart Oliver & Hedges  
50 California St., 22<sup>nd</sup> Floor  
San Francisco, CA 94111

Jeffrey W. Moss, Esq.  
Morgan Lewis & Bockius, LLP  
225 Franklin Street  
16<sup>th</sup> Floor  
Boston, MA 02110

Harry L. Bowles  
306 Big Hollow Lane  
Houston, Texas 77042

Michael S. Olsan, Esq.  
Christine G. Russell, Esq.  
Brendan D. McQuiggan, Esq.  
White and Williams, LLP  
One Liberty Place, Suite 1800  
Philadelphia, PA 19103-7395

Kyle A. Forsyth, Esq.  
Commercial Litigation Branch, Civil Division  
United States Department of Justice  
P.O. Box 875  
Washington, D.C. 20044-0875