

SUPERIOR COURT

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

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SUPERIOR COURT

Docket No. 03-E-0106

**In the Matter of the Liquidation of  
The Home Insurance Company****U.S. DEPARTMENT OF LABOR'S ASSENTED-TO  
MOTION TO EXTEND TIME FOR FILING ITS REPLY BRIEF  
IN SUPPORT OF ITS RIGHT TO CLASS I OR CLASS II PRIORITY**

Pursuant to this Court's October 11, 2012, "Order Regarding Disputed Claim," claimant Hilda L. Solis, Secretary of the United States Department of Labor (Labor), may file a reply brief in support of Labor's right to Class I or Class II priority for its Proof of Claim No. GOVT 700090-01 (Labor's Claim) against the Home Insurance Company in Liquidation (Home), within fifteen days after Home's Liquidator, Roger A. Sevigny, Insurance Commissioner of the State of New Hampshire (Liquidator) files his written submission. The Liquidator filed his written submission on December 13, 2012, making Labor's reply brief due Friday, December 28, 2012.

With the Liquidator's consent, Labor requests a two-week extension of the time, though and including Friday, January 11, 2013, in which it may prepare and file its reply to the Liquidator's written submission. This request is supported by good cause, as follows:

1. Due to the Christmas holiday, Labor's counsel will be on vacation visiting out-of-state family and unable to work on this matter from December 22 through 30, 2012.
2. From December 13, 2012 through December 21, 2012, Labor's counsel has been and will be fully occupied preparing substantive briefs in other matters: a brief filed with the

U.S. Court of Appeals for the First Circuit on Monday, December 17, 2012, and another brief due at the U.S. District Court for the District of South Dakota on Friday, December 21, 2012. Accordingly, it would be exceedingly difficult to prepare an adequate reply brief that would best assist the Court's decision without an extension of the December 28, 2012, deadline.

3. A two-week extension of Labor's reply brief deadline will not unduly delay the proceedings or affect any previously scheduled deadlines or hearings.

4. The Liquidator, through his counsel, Eric A. Smith, consents to Labor's request for a two-week extension of time to file Labor's reply brief.

Accordingly, Labor respectfully requests that this Court grant this motion and enter an order extending Labor's deadline to file its reply brief in support of its right to Class I or Class II priority, through and including Friday, January 11, 2013.

Respectfully submitted,

STUART F. DELERY  
Principal Deputy Assistant  
Attorney General

J. CHRISTOPHER KOHN  
Director

RUTH A. HARVEY  
Assistant Director



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KYLE A. FORSYTH  
Commercial Litigation Branch  
Civil Division  
United States Department of Justice  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
Tel. (202) 307-0452  
Fax. (202) 514-6163


Kyle.Forsyth@usdoj.gov

*Attorneys for Hilda L. Solis  
Secretary, U.S. Department of Labor*

CERTIFICATE OF SERVICE

I certify that the foregoing “U.S. Department of Labor’s Assented-to Motion to Extend Time for Filing Its Reply Brief in Support of Its Right to Class I or Class II Priority” and accompanying proposed order were sent today via first class U.S. Mail to all persons on the attached Service List.

Dated: December 19, 2012

  
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KYLE A. FORSYTH

**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 GRANTING U.S. DEPARTMENT OF LABOR'S  
MOTION TO EXTEND TIME FOR ITS REPLY BRIEF IN  
SUPPORT OF ITS RIGHT TO CLASS I OR CLASS II PRIORITY**

The Court has considered the assented-to motion of claimant Hilda L. Solis, Secretary of the United States Department of Labor (Labor), to extend by two-weeks the deadline for filing Labor's reply brief in response to the written submission of the Roger A. Sevigny, Insurance Commissioner of the State of New Hampshire, as Liquidator of the Home Insurance Company (Liquidator), regarding Labor's asserted right to Class I or Class II priority for its Proof of Claim No. GOVT 700090-01. For the reasons stated in Labor's motion, it is hereby ORDERED as follows:

1. Labor's motion to extend time is GRANTED; and
2. Labor's deadline for filing its reply brief in response to the Liquidator's written submission is EXTENDED through and including Friday, January 11, 2013.

So Ordered.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Presiding Justice

## SERVICE LIST

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

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

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

David H. Simmons, Esq.  
Mary Ann Etzler, Esq.  
Daniel J. O'Malley, Esq.  
deBeaubien, Knight, Simmons,  
Mantzaris & Neal, LLP  
332 North Magnolia Avenue  
P.O. Box 87  
Orlando, FL 32801

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

Albert P. Bedecarre, Esq.  
Quinn Emanuel Urguhart Oliver  
& Hedges, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111

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

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

Pieter Van Tol, Esq.  
Hogan Lovells US LLP  
875 Third Avenue  
New York, NY 10022

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

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

Martin P. Honigberg, Esq.  
Suloway & Hollis, P.L.L.C.  
9 Capitol Street  
P.O. Box 1256  
Concord, NH 03302-1256

Joseph G. Davis, Esq.  
Willkie Farr & Gallagher, LLP  
1875 K Street, N.W.  
Washington, DC 20006

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

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

Robert M. Horkovicheh, Esq.  
Robert Y. Chung, Esq.  
Anderson Kill & Olick, P.C.  
1251 A venue of the Americas  
New York, NY 1 0020

John A. Hubbard  
615 - 7th Avenue South  
Great Falls, MT 59405

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

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

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

J. David Leslie, Esq.  
Eric A. Smith, Esq.  
Rackemann Sawyer & Brewster  
160 Federal Street  
Boston, MA 02110

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

Adebowale O. Osijo  
2015 East Pontiac Way, Suite 209  
Fresno, CA 93 726  
Edmond J. Ford, Esq.  
Ford & Weaver, P.A.  
10 Pleasant Street, Suite 400  
Portsmouth, NH 03801

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

J. Christopher Marshall, Esq.  
Civil Bureau  
New Hampshire Department of Justice  
33 Capitol Street  
Concord, NH 03301-6397

W. Daniel Deane, Esq.  
Nixon Peabody LLP  
900 Elm Street, 14th Floor  
Manchester, NH 03101

Joseph C. Tanski, Esq.  
Nixon Peabody LLP  
100 Summer Street  
Boston, MA 02110