

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 INTERIM DISTRIBUTION
TO CLAIMANTS WITH ALLOWED CLASS II CLAIMS**

On consideration of the motion of Roger A. Sevigny, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for approval of an interim distribution to claimants with allowed Class II claims pursuant to RSA 402-C:46, I, and of the supporting Affidavit of Peter A. Bengelsdorf, Special Deputy Liquidator, it is hereby ORDERED as follows:

1. The interim distribution is reasonable, prudent and in accordance with RSA 402-C:46, I.
2. The Liquidator’s Motion for Approval of Interim Distribution to Claimants with Allowed Class II Claims is GRANTED, and the proposed interim distribution of fifteen (15) percent is APPROVED.
3. The interim distribution shall be made to claimants, or their assignees, with Class II priority claims under RSA 402-C:44 allowed by the Court through December 31, 2011. The interim distribution shall be made to claimants with subsequently approved Class II claims annually after the end of each calendar year with respect to claims allowed during that year.
4. The portion of guaranty association early access distributions previously made that is equal to the interim distribution shall no longer be subject to recovery by the Liquidator pursuant to the Early Access Distribution Agreement.
5. In accordance with RSA 402-C:44, the first \$50 of the allowed amount on each claim shall be deducted from the claim (except for claims of insurance guaranty associations).
6. The Liquidator shall not issue checks for interim distribution amounts of less than \$10 per claimant.

7. The interim distribution to a claimant shall be subject to any setoff the Liquidator has against the claimant.

8. The interim distribution is subject to receipt of a waiver of federal priority claims under 31 U.S.C. § 3713 from the United States in a form acceptable to the Liquidator.

So Ordered.

Dated: _____

Presiding Justice