

0 1 2 8 3 8

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

SUPERIOR COURT

In the Matter of the Liquidation of  
the Home Insurance Company

2013 JAN 15 PM 12 21

**ASSENTED-TO MOTION OF JOSEPH C. TANSKI  
FOR ADMISSION *PRO HAC VICE***

Pursuant to Superior Court Rule 19(b), the undersigned counsel respectfully moves for the *pro hac vice* admission of Joseph C. Tanski to appear on behalf of (1) the Intervenor -- New Hampshire Insurance Guaranty Association; Arkansas Property & Casualty Insurance Guaranty Fund; Colorado Insurance Guaranty Association; Connecticut Insurance Guaranty Association; District of Columbia Insurance Guaranty Association; Idaho Insurance Guaranty Association; Illinois Insurance Guaranty Fund; Kansas Insurance Guaranty Association; Maine Insurance Guaranty Association; Massachusetts Insurers Insolvency Fund; Montana Insurance Guaranty Association; Rhode Island Insurers' Insolvency Fund; Vermont Property and Casualty Insurance Guaranty Association; Virginia Property and Casualty Insurance Guaranty Association; Washington Insurance Guaranty Association -- (collectively, the "Guaranty Funds") and; (2) the Arizona Property and Casualty Insurance Guaranty Fund (the "Arizona Fund"). In support of this motion, it is stated as follows:

1. Nixon Peabody LLP is counsel to the fifteen Guaranty Funds, who intervened in this action for the purpose of submitting a response to the United States Department of Labor's ("DOL") Written Submission in Support of Its Right to Class I or Class II Priority in the liquidation of the Home Insurance Company (the "Home").

2. Nixon Peabody LLP is also counsel to the Arizona Fund, which has asserted disputed claims against the Home estate. The Arizona Fund intends to file a Motion to Recommit with respect to the Orders on the Merits issued by the Referee on December 20, 2012.

3. Joe C. Tanksi, Esq. is a partner in the Boston, MA office of Nixon Peabody LLP.

4. The undersigned, W. Daniel Deane, Esq., is an associate in the Manchester, NH office of Nixon Peabody LLP and is a member in good standing of the Bar of this Court (N.H. Bar No. 18700).

5. At all times during this proceeding, W. Daniel Deane will be associated with Joseph C. Tanksi and will be present at any trial or hearing.

6. A supporting affidavit of Joseph C. Tanksi is appended to this Motion as Exhibit A.

7. Counsel for the Liquidator of Home and counsel for the DOL have assented to the relief requested in this motion.

8. No Memorandum of Law is necessary.

WHEREFORE, the Guaranty Funds and Arizona Fund pray that this Court:

- A. Grant the Motion for Admission *Pro Hac Vice* permitting Joseph C. Tanksi to practice before this Court in this action; and
- B. Grant such further relief as may be just and reasonable.


Respectfully submitted,

**NEW HAMPSHIRE INSURANCE GUARANTY  
ASSOCIATION; ARKANSAS PROPERTY & CASUALTY  
INSURANCE GUARANTY FUND; COLORADO  
INSURANCE GUARANTY ASSOCIATION;  
CONNECTICUT INSURANCE GUARANTY  
ASSOCIATION; DISTRICT OF COLUMBIA INSURANCE  
GUARANTY ASSOCIATION; IDAHO INSURANCE  
GUARANTY ASSOCIATION; ILLINOIS INSURANCE  
GUARANTY FUND; KANSAS INSURANCE GUARANTY  
ASSOCIATION; MAINE INSURANCE GUARANTY  
ASSOCIATION; MASSACHUSETTS INSURERS**

**INSOLVENCY FUND; MONTANA INSURANCE  
GUARANTY ASSOCIATION; RHODE ISLAND  
INSURERS' INSOLVENCY FUND; VERMONT  
PROPERTY AND CASUALTY INSURANCE GUARANTY  
ASSOCIATION; VIRGINIA PROPERTY AND CASUALTY  
INSURANCE GUARANTY ASSOCIATION; WASHINGTON  
INSURANCE GUARANTY ASSOCIATION**

and

**ARIZONA PROPERTY AND CASUALTY INSURANCE  
GUARANTY FUND**

By:   
W. Daniel Deane, Esq. (NH Bar #18700)  
**NIXON PEABODY LLP**  
900 Elm Street, 14<sup>th</sup> Floor  
Manchester, NH 03101  
Telephone: (603) 628-4000  
Facsimile: (603) 628-4041  
ddeane@nixonpeabody.com

Dated: January 10, 2013

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within *Assented-To Motion of Joseph C. Tanski for Admission Pro Hac Vice* was sent this 10<sup>th</sup> day of January 2013, by first class mail, postage prepaid, to all persons on the attached service list.

  
W. Daniel Deane

## **SERVICE LIST**

Kyle Forsyth, Esq.  
Trial Attorney, Civil Division  
U.S. Department of Justice  
P.O. Box 875  
Washington, DC 20044

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 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

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.  
Sulloway & 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

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

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

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

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

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

Andrew B. Livernois, Esq.  
Ransmeier & 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 93726

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

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

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

# **EXHIBIT A**

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

**AFFIDAVIT OF JOSEPH C. TANSKI IN SUPPORT OF  
ASSENTED-TO MOTION FOR ADMISSION *PRO HAC VICE***

NOW COMES the affiant, being first duly sworn upon his oath, and states as follows:

1. My name is Joseph C. Tanski, and I am a partner at the law firm of Nixon Peabody LLP. My resident office is at 100 Summer Street, Boston, MA 02110; Telephone: (617) 345-1000; Facsimile: (866) 375-3461; e-mail: [jtanski@nixonpeabody.com](mailto:jtanski@nixonpeabody.com). My current residence address (temporary) is 61 Alban Road, Waban, Massachusetts 02468.

2. I respectfully move for *pro hac vice* admission to appear on behalf of (1) the Intervenors -- New Hampshire Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Arkansas Property & Casualty Insurance Guaranty Fund, 1023 West Capitol Avenue, Suite 2, Little Rock, AR 72201-1904, Tel: (501) 371-2776; Colorado Insurance Guaranty Association, 1720 South Bellaire Street, Suite 408, Denver, CO 80222, Tel: (303) 759-5066; Connecticut Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; District of Columbia Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Idaho Insurance Guaranty Association, 1720 South Bellaire Street, Suite 408, Denver, CO 80222, Tel: (303) 759-5066; Illinois Insurance Guaranty Fund, 120 South LaSalle Street, Suite 1910, Chicago, IL 60603, Tel: (312) 422-9700; Kansas Insurance Guaranty Association, 1720 South Bellaire Street, Suite 408, Denver, CO 80222, Tel: (303) 759-5066; Maine Insurance Guaranty Association, One Bowdoin

Square, Boston, MA 02114, Tel: (617) 227-7020; Massachusetts Insurers Insolvency Fund, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Montana Insurance Guaranty Association, 1720 South Bellaire Street, Suite 408, Denver, CO 80222, Tel: (303) 759-5066; Rhode Island Insurers' Insolvency Fund, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Vermont Property and Casualty Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Virginia Property and Casualty Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020; Washington Insurance Guaranty Association, One Bowdoin Square, Boston, MA 02114, Tel: (617) 227-7020 -- (collectively, the "Guaranty Funds") and; (2) the Claimant Arizona Property and Casualty Insurance Guaranty Fund, 1110 West Washington Street, Suite 270, Phoenix, AZ 85007, Tel: (602) 364-3863 (the "Arizona Fund").

3. I am an attorney duly admitted and licensed to practice law in the Commonwealth of Massachusetts, admitted in 1970, and I am also admitted to practice before the following courts: U.S. Supreme Court, 1998; U.S. Court of Appeals for the First Circuit; U.S. District Court for the District of Massachusetts. I am a member in good standing and eligible to practice law in the aforementioned jurisdictions.

4. I have never been denied admission *pro hac vice* in any New Hampshire court; have never had *pro hac vice* admission revoked in any New Hampshire court or agency; and have never been disciplined or sanctioned by any New Hampshire court.

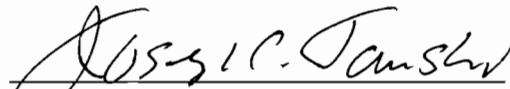
5. Within the last five years, I have not had any formal disciplinary proceedings brought against me by any disciplinary authority in any jurisdiction.

6. During the last five years, I have not been held in contempt or otherwise sanctioned in a written order by any court for disobedience to its rules or orders.



7. On February 11, 2011, I filed an application for *pro hac vice* admission with the U.S. District Court, District of New Hampshire, 55 Pleasant Street, Concord, NH 03301, in the matter of *US Department of Labor v. The Home Insurance Company et al*, Case No. 1:10-cv-00572-SM, which the Court granted on March 2, 2011. I have filed no other applications to appear *pro hac vice* in any New Hampshire court during the last two years.

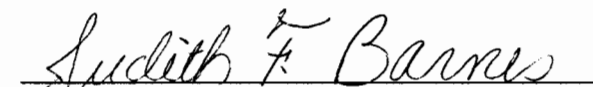
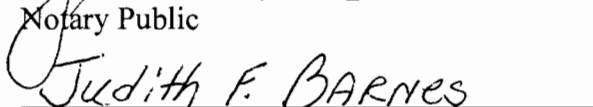
8. At all times during this proceeding, I will be associated with attorney W. Daniel Deane and Mr. Deane will be present at any trial or hearing. Mr. Deane is an attorney in the New Hampshire office of Nixon Peabody LLP, 900 Elm Street, Manchester, New Hampshire 03101-2031; Telephone Number: (603) 628-4047. Mr. Deane is an active member in good standing with the New Hampshire Bar, N.H. Bar No. 18700.

  
Joseph C. Tanski

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF SUFFOLK

Personally appeared, Joseph C. Tanski, and swore that the statements contained in this affidavit are true to the best of his knowledge, information, or belief.

DATED: January 9, 2013

  
Notary Public  
  
[PRINT NAME]

My Commission Expires: 7/4/2014