

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 ESCROW AGREEMENT  
PURSUANT TO 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 an Escrow Agreement (“Escrow Agreement”) among the Western Asbestos Settlement Trust (“Trust”), Home (by the Liquidator), and Wells Fargo Bank, N.A., as escrow agent, and establishing the Western Home Escrow under the court’s jurisdiction, and the supporting Affidavit of Peter A. Bengelsdorf, it is hereby found and ORDERED as follows:

1. The Liquidator’s Motion for Approval of Escrow Agreement Pursuant to Settlement Agreement with Western Asbestos Settlement Trust is granted, and the Escrow Agreement is approved;
2. The Court approves the establishment of the Western Home Escrow as a qualified settlement fund within the meaning of Treasury Regulation § 1.468B-1; and
3. The Western Home Escrow shall be governed by the terms of the Escrow Agreement, and the Court shall retain continuing jurisdiction over the Western Home Escrow established under the Escrow Agreement pursuant to Treasury Regulation § 1.468B-1(c)(1).

So Ordered.

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

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Presiding Justice