

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 217-2003-EQ-00106

**In the Matter of the Liquidation of
The Home Insurance Company**

**CENTURY INDEMNITY COMPANY'S RESPONSE TO
THE LIQUIDATOR'S MOTION FOR APPROVAL OF
SETTLEMENT AGREEMENT WITH THE DOE RUN RESOURCES COMPANY**

Century Indemnity Company, in its capacity as successor to CCI Insurance Company as successor to Insurance Company of North America ("INA"), and in its capacity as successor to CCI Insurance Company as successor to Insurance Company of North America ("INA"), as successor to Indemnity Insurance Company of North America (collectively, "Century"), respectfully submits this Response to the Liquidator's Motion for Approval of a Settlement Agreement (the "Settlement Agreement") with Doe Run Resources Company (d/b/a The Doe Run Company), as successor to St. Joe Minerals Corporation and St. Joseph Lead Company and The Renco Group, Inc. (collectively "Doe Run").

Like the Home Insurance Company ("Home"), Century also issued one or more policies to Doe Run. To the extent that Century has made and/or in the future will make any payments in connection with the policies that Century issued to Doe Run, it is Century's position that nothing in the Liquidator's Settlement Agreement affects, alters or in any way negates any current and/or future contribution or subrogation claim which Century has and/or may have against the Home estate in connection with those payments (unless such claim has already been fully resolved).

The Liquidator has recognized as much in connection with his motion for the approval other settlement agreements, by acknowledging that: "Unlike third party claimants' claims, a

contribution claim is independent of the insured's claims (although derived from the same underlying circumstances), and it will remain to be determined on its own merits in the liquidation proceeding." *E.g.*, Liquidator's Motion for Approval of Settlement Agreement with PECO at ¶6 n.1. Thus, any current or future Century claim for contribution in connection with payments made under policies issued to Doe Run will remain to be determined on their own merits in the Liquidation.

Century requests that the Liquidator retain all claim files pertaining to this policyholder. Century reserves all of its rights including any rights against all parties; nothing in this statement shall be deemed an admission by Century, or a waiver by Century of any rights or remedies including, without limitation, claims or defenses.

Respectfully submitted,

CENTURY INDEMNITY COMPANY

By its attorneys,

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Date: October 11, 2016

By:



Lisa Snow Wade (Bar #5595)

Certificate of Service

The undersigned certifies that a copy of the foregoing document has been served on counsel of record via First Class mail on October 11, 2016.

A handwritten signature in black ink, appearing to read "Lisa Snow Wade", written over a horizontal line.

Lisa Snow Wade #5595

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