

**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**

**[PROPOSED]**

**ORDER APPROVING SETTLEMENT AGREEMENT  
WITH MORTELL COMPANY AND THE DOW CHEMICAL COMPANY**

On consideration of (a) 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 a Settlement Agreement and Mutual Release (“Settlement Agreement”) between Mortell Company and The Dow Chemical Company (collectively, “Mortell”) and the Liquidator, and (b) the supporting Affidavit of Peter A. Bengelsdorf, it is hereby found and ORDERED as follows:

1. The Settlement Agreement is reasonable, prudent, and in the best interests of the liquidation of Home;

2. The Liquidator’s Motion for Approval of Settlement Agreement with Mortell Company and The Dow Chemical Company is granted, and the Settlement Agreement is approved; and

3. The Liquidator’s recommendation concerning the allowance of the proofs of claim filed by Mortell is approved, and Mortell’s claim is allowed as a Class II claim in the aggregate amount of \$1,600,000.

So Ordered.

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

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