

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 THIRD INTERIM DISTRIBUTION
TO CLAIMANTS WITH ALLOWED CLASS II CLAIMS**

On consideration of the motion of John R. Elias, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for approval of a third 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 proposed third interim distribution is reasonable, prudent and in accordance with RSA 402-C:46, I.
2. The Liquidator’s Motion for Approval of Third Interim Distribution to Claimants with Allowed Class II Claims is GRANTED, and the proposed third interim distribution of five (5) percent is APPROVED.
3. The third 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 the end of the month in which the waiver of federal priority claims provided for in paragraph 7 below is received. The third interim distribution shall be made to claimants with subsequently approved Class II claims following each subsequent December 31 and June 30 with respect to claims allowed during the six month period preceding that date.
4. The portion of guaranty association early access distributions previously made that is equal to the third 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 third interim distribution to a claimant shall be subject to any setoff the Liquidator has against the claimant.

7. The third 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.

8. Any claimants, or their assignees, entitled to receive the third interim distribution under paragraph 3 above who have not received the first and second interim distributions under the Orders dated March 13, 2012, as amended July 2, 2012 (“First Distribution Order”), and November 16, 2015, as amended March 7, 2016 (“Second Distribution Order”), at the time of the third distribution shall be paid the first and second distributions coincident with the third distribution subject to the other provisions of the First and Second Distribution Orders.

So Ordered.

Dated: _____

Presiding Justice