

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 NAVISTAR, INC.**

On consideration of (a) the motion of John R. Elias, Insurance Commissioner of the State of New Hampshire, as Liquidator ("Liquidator") of The Home Insurance Company, for an order approving a Settlement Agreement and Mutual Release ("Settlement Agreement") between Navistar, Inc., as successor to International Harvester Company ("Navistar"), 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 Navistar, Inc., is granted, and the Settlement Agreement is approved; and
3. The Liquidator's recommendation concerning the allowance of the proof of claim filed by Navistar is approved and Navistar's claim is allowed as an unexcused late-filed Class II claim in accordance with RSA 402-C:45, RSA 402-C:44, and RSA 402-C:37 in the aggregate amount of \$13,000,000.

So Ordered.

Dated: _____

Presiding Justice