

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 ADVERTISER COMPANY**

Century Indemnity Company ("CIC"), in its capacity as successor to CCI Insurance Company, as successor to Insurance Company of North America, by its attorneys, respectfully submits this Response to the Liquidator's Motion for Approval of Settlement Agreement with The Advertiser Company ("the Settlement Agreement").

Like the Home Insurance Company ("Home"), CIC issued policies to Multimedia, Inc., under which The Advertiser Company seeks coverage as an insured. To the extent that CIC has made and/or in the future will make any payments for the underlying environmental claims to The Advertiser Company in connection with the policies that CIC issued, it is CIC'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 CIC 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 of 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 be determined under applicable law in the liquidation

proceeding.” *E.g.*, Liquidator’s Motion for Approval of the PPG Settlement Agreement with at ¶5 n.1. As a result, any current or future CIC claim for contribution or subrogation in connection with payments made to The Advertiser Company with respect to the underlying environmental liabilities will remain to be determined on its own merits in the Liquidation.

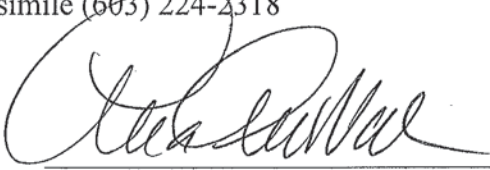
CIC requests that the Liquidator retain all claim files pertaining to Multimedia, Inc. and The Advertiser Company. CIC reserves all of its rights including any rights against all parties; nothing in this statement shall be deemed an admission by CIC, or a waiver by CIC of any rights or remedies including,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

Respectfully submitted,

CENTURY INDEMNITY COMPANY
By its attorneys,

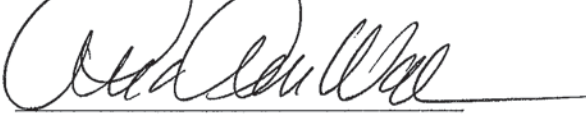
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Date: November 4, 2019

By: 
Lisa Snow Wade (#5595)

Certificate of Service

The undersigned certifies that a copy of the foregoing document has been served on counsel of record and the attached service list via First Class mail on November 4, 2019.

By: 
Lisa Snow Wade (#5595)

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