

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
BRIDGESTONE AMERICAS TIRE OPERATIONS LLC**

Century Indemnity Company, as successor to Insurance Company of North America; ("CIC"), by their attorneys, respectfully submits this Response to the Liquidator's Motion for Approval of Settlement Agreement (the "Settlement Agreement") with Bridgestone Americas Tire Operations LLC, successor to Bridgestone/Firestone, Inc., formerly known as The Firestone Tire & Rubber Company ("Bridgestone").

Like the Home Insurance Company ("Home"), CIC also issued policies to Bridgestone. To the extent that CIC has made and/or in the future will make any payments for the underlying claims to Bridgestone 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 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 Crane Co. will remain to be determined on its own merits in the Liquidation.

CIC requests that the Liquidator retain all claim files pertaining to this policyholder. 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,

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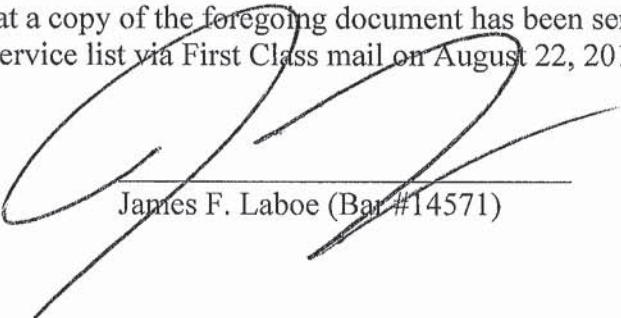
Date: August 22, 2019

By.


James F. Laboe (Bar #14571)

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 August 22, 2019.


James F. Laboe (Bar #14571)

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