

STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

Docket No. 03-E-0106

**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 EXXON MOBIL**

Century Indemnity Company on its own behalf and (i) in its capacity as successor to CCI Insurance Company as successor to Insurance Company of North America, (ii) in its capacity as successor to Indemnity Insurance Company of North America, and (iii) in its capacity as successor to CIGNA Specialty Insurance Company (formerly known as California Union Insurance Company) (collectively, "CIC"), respectfully submits this Response to the Liquidator's Motion for Approval of its settlement agreement with Exxon Mobil Corporation, as successor to Exxon Corporation and Mobil Oil Corporation ("Claimant").

Like the Home Insurance Company, CIC issued at least one policy of insurance to the Claimant. To the extent that CIC has made and/or in the future will make any payments to the policies issued to the Claimant, it is CIC's position that nothing in the Liquidator's Settlement with the Claimant 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 remain to be determined on its own merits in the liquidation proceeding.” *E.g.*, Liquidator’s Motion for Approval of Settlement Agreement with Freeport-McMoran at ¶5 n.1. Thus, any current or future CIC claim for contribution in connection with payments made under policies issued to the Claimant will remain to be determined on their own merits in the Liquidation.

Century 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.

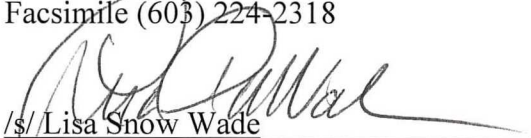
Respectfully submitted,

CENTURY INDEMNITY COMPANY

By its attorneys,

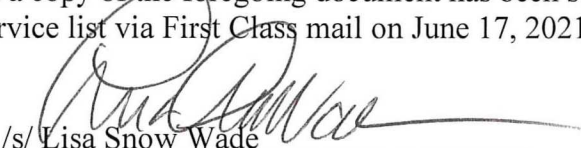
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Date: June 17, 2021

By: 
/s/ Lisa Snow Wade
Lisa Snow Wade (Bar #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 June 17, 2021.


/s/ Lisa Snow Wade
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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

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