

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
GENERAL DYNAMICS CORPORATION**

Century Indemnity Company, in its capacity as successor to CCI Insurance Company, as successor to Insurance Company of North America, respectfully submits this Response to the Liquidator's Motion for Approval of its settlement agreement with General Dynamics Corporation ("Claimant").

The Liquidator's Motion indicates that the Home Insurance Company ("Home") issued thirteen policies to Claimant for various policy periods between September 1, 1967 and July 31, 1983. Like Home, Century issued one or more policies of insurance to Claimant and has submitted a contribution claim against Home as an offset in the Liquidation. Nothing in the Liquidator's Settlement with Claimant affects, alters or in any way negates Century's contribution claim against the Home estate.

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, Century's claim for contribution in connection with

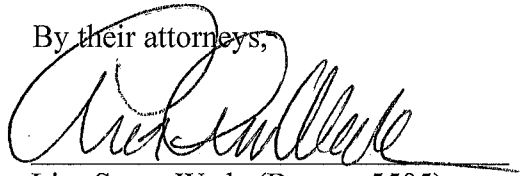
payments made under policies issued to Claimant will remain to be determined on its own merits in the Liquidation.

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

Respectfully submitted,

CENTURY INDEMNITY COMPANY

By their attorneys,

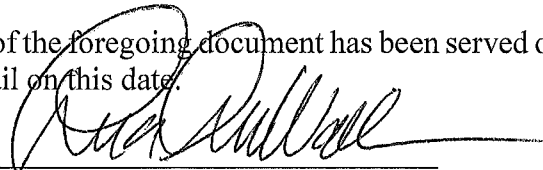


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Dated: June 17, 2024

Certificate of Service

The undersigned certifies that a copy of the foregoing document has been served on counsel on the attached service list via First Class mail on this date.



Lisa Snow Wade

STATE OF NEW HAMPSHIRE

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