

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 FIFTH INTERIM DISTRIBUTION
TO CLAIMANTS WITH ALLOWED CLASS II CLAIMS**

On consideration of the motion of David J. Bettencourt, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), for approval of a fifth interim distribution to claimants with allowed Class II claims pursuant to RSA 402-C:46, I, and of the supporting Affidavit of Peter A. Bengelsdorf, Special Deputy Liquidator, it is hereby ORDERED as follows:

1. The proposed fifth interim distribution is reasonable, prudent and in accordance with RSA 402-C:46, I.
2. The Liquidator’s Motion for Approval of Fifth Interim Distribution to Claimants with Allowed Class II Claims is GRANTED, and the proposed fifth interim distribution of five percent (5%) is APPROVED.
3. The fifth interim distribution shall be made to claimants, or their assignees, with Class II priority claims under RSA 402-C:44 allowed by the Court through the end of the month in which this order issues. The fifth interim distribution shall be made to claimants with subsequently approved Class II claims following each subsequent December 31 and June 30 with respect to claims allowed during the six month period preceding that date.
4. The portion of guaranty association early access distributions previously made that is equal to the fifth interim distribution shall no longer be subject to recovery by the Liquidator pursuant to the Early Access Distribution Agreement.
5. In accordance with RSA 402-C:44, the first \$50 of the allowed amount on each claim shall be deducted from the claim (except for claims of insurance guaranty associations).
6. The fifth interim distribution to a claimant shall be subject to any setoff the Liquidator has against the claimant.

7. Any claimants, or their assignees, entitled to receive the fifth interim distribution under paragraph 3 above who have not received the first, second, third and fourth interim distributions under the Orders dated March 13, 2012, as amended July 2, 2012, November 16, 2015, as amended March 7, 2016, October 18, 2018, and August 16, 2023 at the time of the fifth distribution shall be paid the first, second, third and fourth distributions coincident with the fifth distribution subject to the other provisions of the distribution orders.

8. To the extent that the fifth interim distribution causes Home's investment portfolio to temporarily fall out of compliance with the Fourth Revised Statement of Investment Policy approved September 10, 2012, for longer than the 90-day period to restore compliance provided in the Policy, those deviations are authorized.

So Ordered.

Dated: _____

Presiding Justice