

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

BEFORE THE COURT-APPOINTED REFEREE
IN RE THE LIQUIDATION OF THE HOME INSURANCE COMPANY
DISPUTED CLAIMS DOCKET

In Re Liquidator Number: 2015-HICIL-59

Proof of Claim Number: INSU712373-01

INSU711861

INSU712408

INSU712409

Claimant Name: NCR Corporation

ASSENTED-TO REQUEST FOR DISMISSAL WITHOUT PREJUDICE

Roger A. Sevigny, Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), requests that this matter be dismissed without prejudice as premature. As reasons therefor, the Liquidator states:

1. This disputed claim proceeding appears to have been initiated in response to an inquiry by claimant NCR Corporation (“NCR”) directed to the Liquidation Clerk about NCR’s claim. However, NCR’s claim has not yet progressed through the determination process to the point where a disputed claim proceeding is appropriate. The claim is still pending before the Liquidator on NCR’s Request for Review.

2. NCR filed a proof of claim in the Home liquidation. The Liquidator issued a Notice of Determination on July 8, 2015. On August 3, 2015, NCR submitted a Request for Review to the Liquidator pursuant to Section 7(a) of the Restated and Revised Order Establishing Procedures Regarding Claims Filed with The Home Insurance Company in Liquidation (January 19, 2005) (“Claims Procedures Order”). The Request for Review is now pending, and the Liquidator will be addressing the matter in that context. The Liquidator has not issued a Notice of Redetermination pursuant to Section 7(b) of the Claims Procedures Order.

3. A disputed claim proceeding will be presented only after the Liquidator issues a Notice of Redetermination and in the event NCR files an Objection with the Court. See Claims Procedures Order § 8.

4. Counsel for the Liquidator has conferred with counsel for NCR, and NCR assents to the relief requested in this motion.

WHEREFORE, the Liquidator requests this proceeding be dismissed without prejudice.

Respectfully submitted,

ROGER A SEVIGNY, INSURANCE
COMMISSIONER OF THE STATE OF NEW
HAMPSHIRE, AS LIQUIDATOR OF THE
HOME INSURANCE COMPANY

By his attorney,
JOSEPH A. FOSTER
ATTORNEY GENERAL

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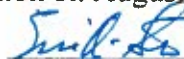


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August 7, 2015

Certificate of Service

I hereby certify that a copy of the foregoing Assented to Request for Dismissal Without Prejudice was emailed to counsel for NCR Corporation on August 7, 2015.



Eric A. Smith