

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: 2005-HICIL-7  
Proof of Claim Number: RAHM331131  
Claimant Name: Bermuda Fire and Marine Ins. Co. Ltd

**ASSENTED-TO MOTION TO APPOINT COLIN EDELMAN, Q.C. AS EXPERT**

1. Century Indemnity Company, ACE Property and Casualty Insurance Company, Pacific Employers Insurance Company and ACE American Reinsurance Company (collectively, the “ACE Companies”), by their attorneys, Lovells, respectfully submit this assented-to motion to appoint Colin Edelman, Q.C. as the English expert in the above-captioned disputed claim proceeding.

2. Paragraph 2.15 of the Claims Protocol approved by the Court on November 12, 2004, provides that “[w]here the law applicable to the contract [that is the subject of the disputed claim proceeding] is English law .... the Referee shall appoint an expert ... with knowledge of the law of insurance reinsurance in England as well as industry custom and practice. Such expert shall be either a retired English judge or a Queen’s Counsel of the English bar and, in either case, shall be a person disinterested in the subject matter of the Disputed Claim proceeding. HICIL and CIC shall attempt to jointly propose a person to be appointed as such expert by the Referee ....”

3. The contract that is the subject of the captioned disputed claim proceeding regarding proof of claim number RAHM331131 is governed by English law. Accordingly,

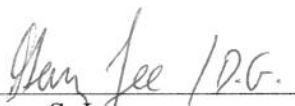
Home and CIC have conferred and agreed upon the appointment of Colin Edelman as expert.  
(See Exhibit A attached hereto.)

4. Mr. Edelman satisfies the criteria enumerated in the Claims Protocol for the appointment of an English expert, as illustrated by his CV attached hereto as Exhibit B. Mr. Edelman is a Queens Counsel whose principal areas of practice include insurance and reinsurance. He has specialized in these areas for over 20 years and has developed a detailed understanding of the practices of the London and international insurance and reinsurance markets. Mr. Edelman is also a “person disinterested” in the subject matter of this disputed claim proceeding.

WHEREFORE, the ACE Companies respectfully request that the Referee:

- A. Grant this assented-to motion to appoint Colin Edelman, Q.C. as expert; and
- B. Grant such other and further relief as the Referee deems just and proper.

Respectfully submitted,

  
\_\_\_\_\_  
Gary S. Lee  
Dina Z. Gielchinsky  
LOVELLS  
900 Third Avenue, 16<sup>th</sup> Floor  
New York, New York 10022  
Telephone (212) 909-0600  
Facsimile (212) 909-0666  
Attorneys for Century Indemnity Company,  
ACE Property and Casualty Insurance  
Company, Pacific Employers Insurance  
Company, and ACE American Reinsurance  
Company

Dated: January 20, 2006