

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

IN THE MATTER OF LIQUIDATION  
OF THE HOME INSURANCE COMPANY

DOCKET #: 03-E-106

**AFFIDAVIT OF VIVIENNE WEBSTER**

2007 MAR 28 A 9:59  
NH SUPERIOR COURT  
MERRIMACK COUNTY  
MERRIMACK, NH

NOW COMES Vivienne Joanna Jean Webster, under oath, who hereby states as follows:

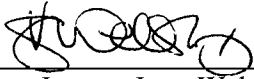
1. I am a Corporate Lawyer with QBE Insurance (Australia) Ltd. (“QBE”), and I work at QBE’s offices in Sydney, Australia. I make this affidavit in support of QBE’s request that this Court declare that QBE’s claim against The Home Insurance Company in Liquidation (“The Home”) is withdrawn effective October 16, 2006, the date on which The Home’s Liquidator received the letter dated October 13, 2006 from QBE’s United State’s counsel withdrawing the claim QBE filed in The Home Liquidation proceeding in December 2003. I make this affidavit based on personal knowledge both as the in-house attorney at QBE responsible for this matter since January 12, 2006 and, moreover, the recipient of several written communications from The Home’s Liquidator in which the Liquidator admitted to QBE that there was never a reinsurance contract between QBE and The Home and that, therefore, QBE had no claim against The Home.

2. I have read QBE’s “Objection to Liquidator’s Determination of Claim and Request for Further Equitable Relief” (“QBE’s Brief”) and state that the factual allegations in QBE’s Brief are true and accurate to the best of my knowledge and belief.

3. In particular, I know for a fact that, between the filing of QBE’s Proof of Claim in December 2003 and March 2006, at which point QBE retained counsel in the

United States to represent its interests in this dispute, The Home's Liquidator made a number of written statements to QBE personnel, including me, specifically admitting there was never a reinsurance contract between QBE and The Home and that, therefore, QBE had no claim against The Home. In those communications, The Liquidator advised that QBE's reinsurance contract was in fact, with Trygg Hansa Spp., now known as Zurich Insurance Ireland Limited, Swedish Branch ("Zurich"), and that QBE should seek redress from Zurich. See Exhibits J to O of QBE's Brief.

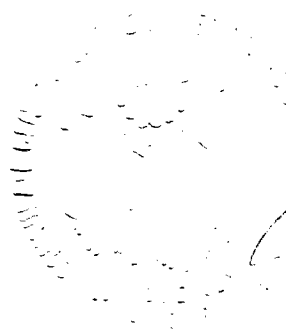
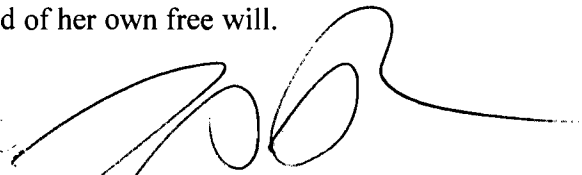
Dated: March 23, 2007

  
\_\_\_\_\_  
Vivienne Joanna Jean Webster

COMMONWEALTH OF AUSTRALIA  
STATE OF NEW SOUTH WALES  
CITY OF SYDNEY  
CONSULATE GENERAL OF THE  
UNITED STATES OF AMERICA } s.s

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Before me personally appeared the above-named individual, Vivienne Joanna Jean Webster, known by me or proven to be the individual whose name is subscribed to this affidavit, and said individual has sworn that the information contained herein is true and accurate and that the Affidavit has been executed of her own free will.

  
  
\_\_\_\_\_  
Notary Public  
Tanya A. Allen  
Vice Consul  
American Consulate General  
Sydney, Australia  
My Commission Expires:

INDEFINITE