

RE: Liquidation Number 2005-HICIL-8

Claim Number EMPL 16733

Claimant Donald J. Van

MINNESOTA SUPERIOR COURT
MEMPHIS, TENNESSEE

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Answer to Liquidators Argument

The Liquidators Supplemental Memorandum, Preliminary Statement and Argument dated Feb 3, 06, was received via U.S. Mail on Feb 8, 06 having a postmark for zip code 10038 dated Feb 6, 06.

The Argument asserts the application of the Statute of Limitations would render my claim as time barred. It is my position that a Cause of Action for "breach of fiduciary duty" has not been filed by this claimant, rather the claim is presented solely for possible financial recovery from the liquidation process of the Home Insurance Company, and therefore the statute of limitations argument has no merit and should not be applicable in the consideration of this claim.

Conclusion

The claimant respectfully request that the Referee

- 1) reject the argument as presented by the Liquidator, and
- 2) rule on the bifurcated issue of value disallowing the assigning of "zero" value to my claim.

Feb 12, 06

Respectfully Submitted

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cc Thomas W. Kober Esq.
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