

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-12
Proof of Claim Number: INTL700616
Claimant Name: Century Indemnity Company

REFEREE'S RULING

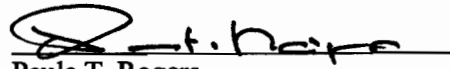
This disputed claim arises out of Century Indemnity Company's assumption of liabilities relating to reinsurance provided by the Home Insurance Company to four members of the M.E. Rutty Pool. Century Indemnity Company has filed this claim to recover monies, comprised of indemnity payments and interest, paid to pool members in excess of Home's actual liability.

At the structuring conference on March 10, 2006, the parties addressed Century Indemnity Company's Request for Evidentiary Hearing Regarding Claim Relating to Rutty Pool. Counsel for the Claimant essentially argued that an evidentiary hearing was necessary because the Liquidator's reason for assigning no value to the claim was difficult to discern. While that might previously have been the case, counsel for the Liquidator accommodatingly outlined the legal rationale upon which the Liquidator presently relies. Again, the issue appears to be a disagreement over whether Century Indemnity Company payments to Rutty Pool members in excess of Home's obligation can be properly setoff against its own liabilities to the estate. This issue can be more than adequately addressed through written submissions and oral argument. Therefore Century Indemnity Company's request is DENIED.

Counsel shall confer on coordinating dates for filing of written submissions and scheduling of oral argument under Section 15 of the Restated and Revised Order Establishing Procedures Regarding Claims Filed with The Home Insurance Company in Liquidation. Counsel shall advise the Liquidation Clerk of same as soon as possible.

So ruled:

Dated: March 16 '06


Paula T. Rogers
Referee