

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

ROGER A. SEVIGNY, in his official capacity)
as INSURANCE COMMISSIONER OF THE)
STATE OF NEW HAMPSHIRE, as)
LIQUIDATOR OF THE HOME)
INSURANCE COMPANY,)

Plaintiff,)

v.)

THE UNITED STATES OF AMERICA and)
ERIC H. HOLDER, JR., in his official capacity)
as ATTORNEY GENERAL OF THE)
UNITED STATES,)

Defendants.)

Civil Action No. 13-401-PB

**JOINT MOTION TO POSTPONE PRETRIAL
CONFERENCE FOR THIRTY DAYS**

Pursuant to Local Rule 7.2(a), the plaintiff, Roger A. Sevigny, in his official capacity as Insurance Commissioner of the State of New Hampshire, as Liquidator (“Liquidator”) of The Home Insurance Company (“Home”), and the defendants United States of America and Eric H. Holder, Jr. in his official capacity as Attorney General of the United States (together, “United States”), jointly move to postpone the pretrial conference presently scheduled for October 8, 2014 for thirty days, to a date convenient to the Court after November 8, 2014. As reasons therefor, the parties state:

The United States responded to the Complaint with a Motion to Dismiss, which the Court denied in part on July 21, 2014 (Dkt. 13). The United States then answered the Complaint on September 4, 2014. On September 8, 2014, the Court issued a Notice of Pretrial Conference setting the conference for October 8, 2014. On September 9, 2014, the Liquidator filed a Motion

for Summary Judgment (Dkt. 16). On September 18, 2014, the Court granted the United States' Motion to Extend Time to Object to the Liquidator's Motion for Summary Judgment until November 7, 2014.

The parties jointly request that the preliminary pretrial conference scheduled for October 8, 2014 be postponed for approximately thirty days. First, the United States and the Liquidator are presently engaged in discussions concerning matters that are the subject of the Complaint. The parties believe these discussions are productive. The parties also believe that the scheduled pretrial may detract from these efforts by requiring the immediate staking out of positions and focusing of efforts on litigation not resolution.

Second, the United States' objection to the Liquidator's Motion for Summary Judgment is due on November 7, 2014. The parties will be better able to address the matters required for the pretrial conference once the United States has responded to that motion.

With the exception of the preliminary pretrial conference itself, the requested extension will not result in the continuance of any hearing, conference or trial.

For the foregoing reasons, the United States and Liquidator jointly request that the Court postpone the pretrial conference for approximately thirty days and reschedule it for a date after November 8, 2014.

Respectfully submitted,

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October 1, 2014

ROGER A. SEVIGNY, INSURANCE
COMMISSIONER OF THE STATE OF NEW
HAMPSHIRE, AS LIQUIDATOR OF THE
HOME INSURANCE COMPANY,
By his attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing filing has been served on counsel of record pursuant to the Court's electronic filing system on October 1, 2014.

/s/ Eric A. Smith
Eric. A. Smith