

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Merrimack Superior Court
163 North Main St./PO Box 2880
Concord NH 03302-2880

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

NOTICE OF DECISION

**Christopher M. Candon, ESQ
Sheehan Phinney Bass & Green PA
1000 Elm St
PO Box 3701
Manchester NH 03105-3701**



Case Name: **In the Matter of the Liquidation of Noble Trust Company**
Case Number: **217-2008-EQ-00053**

Enclosed please find a copy of the court's order of July 30, 2014 relative to:

**ORDER APPROVING NOTICE AND OBJECTION PROCEDURES FOR HEARING ON APPROVAL
OF LIQUIDATOR'S PLAN OF LIQUIDATION AND APPROVAL OF CLAIMS PROCEDURES
MOTION**

July 30, 2014

William S. McGraw
Clerk of Court

(629)

C: Steven A Solomon, ESQ; Russell F Hilliard, ESQ; Thomas Hetherington, ESQ; Gordon J MacDonald, ESQ; John M Sullivan, ESQ; Peter C.L. Roth, ESQ; Byrne J. Decker, ESQ; Michele E. Kenney, ESQ; Jonathan P. Pavlovcak, ESQ; William S. Gannon, ESQ; J. Christopher Marshall, ESQ; Bertrand A. Zalinsky, ESQ; David D. Cowan; Steven J. Lauwers, ESQ; Michael S. Lewis, ESQ; Nathan R. Lander, ESQ; James F. Laboe, ESQ; Stephen A. Serfass

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SUPERIOR COURT

Docket No. 08-E-0053

**In the Matter of the Liquidation of
Noble Trust Company**

**ORDER APPROVING NOTICE AND OBJECTION
PROCEDURES FOR HEARING ON APPROVAL OF
LIQUIDATOR'S PLAN OF LIQUIDATION AND
APPROVAL OF CLAIMS PROCEDURES MOTION**

Upon consideration of the Liquidator's Consented-To Motion to Approve Notice and Objection Procedures for Hearing on Approval of Liquidator's Plan of Liquidation and Approval of Claims Procedures Motion (the "Procedures Motion"), pursuant to which Glenn A. Perlow, Bank Commissioner for the State of New Hampshire, in his capacity as Liquidator of Noble Trust Company (the "Liquidator" and "Noble Trust," respectively), seeks an order of this Court: (1) approving the method, manner and form of notice, to be given of the hearing to consider approval of the Liquidator's Plan of Liquidation (the "Plan") and approval of the Liquidator's Motion for Approval of Claims Resolution Procedures (the "Claims Procedures Motion") that the Liquidator intends to file on or before August 7, 2014; (2) scheduling a hearing on the proposed Plan and Claims Procedures Motion; and (3) establishing a deadline by which any objections to the Plan and Claims Procedures Motion must be filed and served; adequate notice of the Procedures Motion having been provided; the notice procedures described in the Procedures Motion comply in all respects with the applicable notice requirements of New Hampshire law, and are sufficient to provide adequate notice of the Plan and Claims Procedures Motion, the hearing on the Plan and Claims Procedures Motion, and the deadline for filing

objections thereto; there being no objections made to the relief requested; and, after due deliberation and sufficient cause appearing therefor; it is hereby

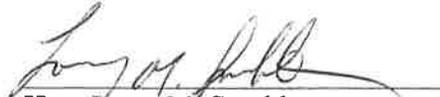
ORDERED, ADJUDGED, AND DECREED THAT:

1. The Procedures Motion is granted, and all notice and objection procedures set forth therein are approved.
2. The Notice of Hearing in the form substantially attached to the Procedures Motion is approved.¹
3. Notice of the Plan and Claims Procedures Motion in the manner set forth in the Procedures Motion, *i.e.*, physical mailing, posting of the Plan, the Claims Resolution Procedure, the Memorandum, the Fleury Affidavit and any other affidavits in support of the Plan and Claims Resolution Procedure on the Banking Department's website, and availability of the pleadings at the Court or by request of the Liquidator, complies with applicable standards of due process of law, and provides adequate and sufficient notice to all parties in interest of the Plan and Claims Procedures Motion, the hearing on the Plan and Claims Procedures Motion, the issues to be decided at the hearing, and the deadline for filing objections.
4. Service shall be complete when the Liquidator makes a certificate of service to the Court certifying that he has complied with the approved notice procedures.
5. On October 7, 2014 at 1:30 p.m., a hearing will be held before the Court to consider approval of the Plan and approval of the Claims Procedures Motion. ✓
6. Any objections to the Plan and Claims Procedures Motion must be filed by 4:00 p.m. (prevailing Eastern Time) on September 10, 2014 (the "Objection Deadline") with the Office of the Clerk, Merrimack County Superior Court, 163 North Main Street, Concord, New ✓

¹ Capitalized terms used in this Order and not otherwise defined herein are intended to have the same meaning as ascribed to them in the Procedures Motion.

Hampshire 03302, and also served so as to be received by the Objection Deadline on (a) counsel to the Liquidator and (b) upon all other counsel of record (whose names and addresses may be obtained from the Clerk's Office). **Any objections not filed and served in accordance with this Order shall not be considered.**

Dated: July 30, 2014


Hon. Larry M. Smukler

CERTIFICATE OF SERVICE

I, Christopher M. Candon, hereby certify that on July 25, 2014, a copy of the foregoing pleading was served by first class mail, postage prepaid on the parties listed below.

Stephen A. Serfass, Esq.
Drinker Biddle & Reath LLP
One Logan Square, Ste. 2000
Philadelphia, PA 19103

J. Christopher Marshall, Asst. Attorney General
NH Office of Attorney General
33 Capitol Street
Concord, NH 03301

David D. Cowan, CPA
920 Laguarda Dr., NE
Albuquerque, NM 87108

Steven A. Solomon, Esquire
D'Amante Couser Pellerin & Associates PA
Nine Triangle Park Drive
Concord, NH 03301

Thomas F.A. Hetherington, Esquire
Edison McDowell & Hetherington,
LLP
Phoenix Tower
3200 Southwest Freeway, Suite 2920
Houston, TX 77027

Russell F. Hilliard, Esquire
Justin Richardson, Esquire
Upton & Hatfield, LLP
159 Middle Street
Portsmouth, NH 03801

John M. Sullivan, Esquire
Preti Flaherty Beliveau & Pachios LLP
PO Box 1318
Concord, NH 03302-1318

James F. Laboe, Esquire
Orr & Reno, P.A.
PO Box 3550
Concord, NH 03302-3550

Bertrand A. Zalinsky, Esquire
Cronin & Bisson, P.C.
722 Chestnut Street
Manchester, NH 03104

Steven J. Lauwers, Esquire
Michael S. Lewis, Esquire
Rath Young and Pignatelli, P.C.
One Capital Plaza
Concord, NH 03302-1500

Nathan R. Lander, Esquire
Proskauer Rose LLP
Eleven Times Square
(Eighth Avenue & 41st Street)
New York, NY 10036-8299


Christopher M. Candon