

**THE STATE OF NEW HAMPSHIRE
Merrimack County Superior Court**

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NOTICE OF DECISION

FEB 11 2010

BRUCE A HARWOOD ESQ
SHEEHAN PHINNEY BASS & GREEN
PO BOX 3701
MANCHESTER NH 03105

08-E-0053 In the Matter of the Liquidation of Noble Trust Company

Enclosed please find a copy of the Court's Order dated 2/09/2010
relative to:

Court Order

02/10/2010

William McGraw
Clerk of Court

cc: Peter C.L. Roth, Esq.
Karen A. Schlitzer, Esq.
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THE STATE OF NEW HAMPSHIRE

08-E-053
Docket No.

ORDER ON DOCUMENT No. 78

Before the court is the liquidator's motion for approval of settlement agreement with (and stipulated judgment against) Colin P. Lindsey. The defendant's object. The court convened a hearing on January 29, 2010. Based on the argument submitted therein, the court solicited additional written argument on how RSA 507:7-h affects the respective rights of the parties if the liquidator's motion is granted. The defendants submitted a responsive memorandum of law, which the court has reviewed. While the court understands the source of the defendants' concerns, it is not persuaded that they cannot be addressed upon approval of the settlement agreement. Moreover, the court is convinced that approval of the settlement agreement is, on balance, in the best interest of Noble Trust, its creditors and the parties. Accordingly, the liquidator's motion for approval of settlement agreement with (and stipulated judgment against) Colin P. Lindsey is GRANTED.

So ORDERED.

Date: February 9, 2010



LARRY M. SMUKLER
PRESIDING JUSTICE