

10/03/2005

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT

MARCIA RHODES,
HAROLD RHODES, INDIVIDUALLY,
HAROLD RHODES, ON BEHALF OF HIS MINOR
CHILD
AND NEXT FRIEND, REBECCA RHODES,
Plaintiffs,

CIVIL ACTION NO.

v.

05-1360BLS

AIG DOMESTIC CLAIMS, INC.
(F/K/A AIG TECHNICAL SERVICES, INC.),
NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA
AND
ZURICH AMERICAN INSURANCE COMPANY,
Defendants.

**SUPPLEMENTAL ANSWERS OF AIG DOMESTIC CLAIMS, INC.
TO
PLAINTIFFS' FIRST SET OF INTERROGATORIES**

Defendant, AIG Domestic Claims, Inc. ("AIGDC"), hereby responds, in accordance with Mass. R. Civ P. 33, Superior Court Rule 30, and the order of this court dated August 24, 2005, to the Plaintiffs' First Set of Interrogatories as follows:

INTERROGATORY NO. 1:

Please identify who is responding to these interrogatories and identify all individuals consulted in the preparation of your answers to these interrogatories. Include in your response the name, official title and job responsibilities of each such person.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 1:

Kenneth P. Horenstein, Complex Director, Excess Casualty Claims, is responding to these interrogatories on behalf of AIGDC. Mr. Horenstein's job duties include, inter alia: (a) managing declaratory judgment and bad faith litigation nationwide involving excess and umbrella policies; (b) preparing reservations of rights and disclaimer letters on claims involving complex coverage issues; and (c) monitoring cases that are handled in the coverage unit. Mr. Horenstein consulted with the undersigned attorneys in preparing the interrogatory responses. In addition, Mr. Horenstein consulted with the following individuals (all of whom are identified more fully in Supplemental Responses Nos. 3 and 4) in preparing the supplemental interrogatory responses: Ms. Tracey Kelly; Mr. Richard Mastronardo; Mr. Warren Nitti; Mr. Bryan Pedro; and, Mr. John Kurila.

INTERROGATORY NO. 3:

Please identify each individual who was assigned to or supervised anyone assigned to AIGDC File #169-151612 and any related files. Your response should include the official title and a description of the role each individual played with respect to AIGDC File #169-151612 and/or any related files.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 3:

The following claims examiners had primary responsibility for the handling of the Rhodes matter: (a) Ms. Tracey Kelly, Complex Director (Ms. Kelly handled the Rhodes matter from approximately March 2002 to January 2003); (b) Mr. Nicholas Satriano, Complex Director (Mr. Satriano handled the Rhodes matter from approximately June 6, 2003 to March 2004); (c) Mr. Martin Maturine, Complex Director (Mr. Maturine handled the Rhodes matter from approximately March 2004 to June 2004); and (d) Mr. Warren Nitti, Complex Director (Mr. Nitti handled the Rhodes matter from approximately June 2004 until its conclusion). In general, claims examiners in the excess unit are responsible for the day-to-day handling of the claim. This includes: (a) communicating with the insured, defense counsel, and the primary carrier; (b) confirming coverage of claims; (c) evaluating information supplied by the primary carrier and counsel; (d) coordinating with underlying carriers as to loss investigation; (e) retaining and directing outside counsel and experts, as warranted; and (f) evaluating liability and damages.

The Rhodes matter also was assigned by AIGDC to Ellen Labanowski, Complex Director, from January 31, 2003 until February 4, 2003. Ms. Labanowski had no significant involvement in the handling of the Rhodes matter. The Rhodes matter was assigned to Charles Patitucci, Complex Director, from February 4, 2003 to April 24, 2003. Mr. Patitucci had no significant involvement in the handling of the Rhodes matter. The Rhodes matter was assigned to Andrew Strauss from April 24, 2003 until June 6, 2003. Mr. Strauss had no significant involvement in the handling of the Rhodes matter.

The following supervisors were involved in the handling of the Rhodes matter: (a) Mr. Bryan Pedro, Vice President (Mr. Pedro supervised the Rhodes matter from approximately March 6, 2002 to April 24, 2003; Mr. Pedro supervised Ms. Kelly); (b) Mr. Richard Mastronardo, Assistant Vice President (Mr. Mastronardo supervised the Rhodes matter from approximately April 24, 2003 to April 28, 2004; Mr. Mastronardo supervised Mr. Satriano and Mr. Maturine); and (c) Ms. Tracey Kelly, Assistant Vice President (Ms. Kelly supervised the Rhodes matter from approximately April 28, 2004 until its conclusion; Ms. Kelly supervised Mr. Nitti and Mr. Maturine). The claims supervisors' general role is to provide supervision and direction, as necessary, for the claims examiners.

Mr. John Kurila, Vice-President of Segmentation, and James Joanos, Segmentation Technician, initially opened the Rhodes file and assigned it the appropriate claims handling unit.

INTERROGATORY NO. 4:

Please identify every person with knowledge or information concerning the Accident, the Plaintiffs and/or the Underlying Action. Your response should include the official title and a description of the role each individual played with respect to the Accident, the Plaintiffs and/or the Underlying Action.

SUPPLEMENTAL ANSWER TO INTERROGATORY NO. 4:

In addition to the individuals identified in Supplemental Response No. 3, the following individual played a limited role in the handling of the Rhodes matter: Mr. Andrew J. Barberis, Executive Vice President of the Excess Department. Mr. Barberis provided general supervision to Ms. Kelly, Mr. Pedro, and Mr. Mastronardo, and has some limited knowledge of the handling of the Rhodes matter.

VERIFICATION

Kenneth P. Horenstein, Complex Director, for Defendant, AIG Domestic Claims, Inc., verifies and says that the facts set forth in the foregoing *Supplemental Answers of AIG Domestic Claims, Inc. to Plaintiffs' First Set of Interrogatories* are true and correct to the best of his knowledge, information and belief.

Dated: October 3, 2005



Kenneth P. Horenstein, Complex Director

As to objections:

Dated: October 3, 2005

Respectfully submitted,



Mark E. Cohen [BBO #089800]

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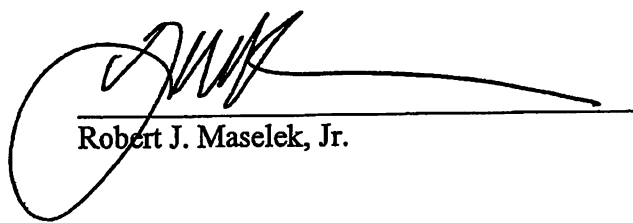
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been served upon all counsel of record by depositing a copy hereof, postage prepaid, with the United States Postal Service, addressed to:

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DATED this 3rd day of October, 2005.


Robert J. Maselek, Jr.