

Torres Rojas, Genara

FOI #14603

From: ewg@mflawllc.com
Sent: Thursday, January 23, 2014 12:55 PM
To: Duffy, Daniel
Cc: Torres Rojas, Genara; Van Duyne, Sheree
Subject: Freedom of Information Online Request Form

Information:

First Name: Eric
Last Name: Gentino
Company: Mastropietro Frade LLC
Mailing Address 1: 63 Franklin Street
Mailing Address 2:
City: Saratoga Springs
State: NY
Zip Code: 12866
Email Address: ewg@mflawllc.com
Phone: 518 226-0700
Required copies of the records: Yes

List of specific record(s):

copies of the PAYMENT AND PERFORMANCE BONDS issued by Skanska Koch, Inc. on the Port Authority project at the World Trade Center known as PANYNJ Contract Oculus WTC 264.618

January 31, 2014

Mr. Eric Gentino
Mastropietro Frade LLC
63 Franklin Street
Saratoga Springs, NY 12866

Re: Freedom of Information Reference No. 14603

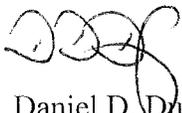
Dear Mr. Gentino:

This is in response to your January 23, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code", copy attached) for copies of the Payment and Performance Bonds issued by Skanska Koch, Inc. on the Port Authority project at the World Trade Center known as PANYNJ Contract Oculus WTC 264.618.

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14603-C.pdf>. Paper copies of the available records are available upon request.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy
FOI Administrator

Attachment

Bond Nos: F&D/Zurich: 09066915
Federal: 82139771
Liberty : 015033541
CIC: 929527136

CONTRACT WTC- 264.625

PAYMENT BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned¹⁶ Contractor and surety company (or companies), as principal and surety (or sureties), respectively,

<u>Contractor</u>	<u>Surety</u>
Skanska Koch Inc* 400 Roosevelt Avenue Carteret, NJ 08008 * a corporation organized under the laws of the State of Delaware	Fidelity and Deposit Company of Maryland/ Zurich American Insurance Company 1400 American Lane, Schaumburg, IL 60196 Federal Insurance Company 15 Mountain View Road Warren, NJ 07059 Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116 The Continental Insurance Company CNA Center, 333 South Wabash Chicago, IL 60685

Approved
1/1
11/23/11

¹⁶ Insert names of the Contractor and surety company (or companies) in the appropriate columns. If space is insufficient add rider.

If the Contractor is a corporation, give the state of incorporation, using also the phrase "a corporation organized under the laws of _____".

If the Contractor is a partnership, give full names of partners, using the phrase "co-partners doing business under the firm name of _____".

If the Contractor is an individual using a trade name, give individual name, using also the phrase "an individual doing business under the trade name of _____".

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Skanska Koch Inc*. 400 Roosevelt Avenue Carteret, NJ 08008 * a corporation organized under the laws of the State of Delaware	Fidelity and Deposit Company of Maryland/ Zurich American Insurance Company 1400 American Lane, Schaumburg, IL 60196 Federal Insurance Company 15 Mountain View Road Warren, NJ 07059 Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116 The Continental Insurance Company CNA Center, 333 South Wabash Chicago, IL 60685

¹⁶ Insert names of the Contractor and surety company (or companies) in the appropriate columns. If space is insufficient add rider.

If the Contractor is a corporation, give the state of incorporation, using also the phrase "a corporation organized under the laws of _____".

If the Contractor is a partnership, give full names of partners, using the phrase "co-partners doing business under the firm name of _____".

If the Contractor is an individual using a trade name, give individual name, using also the phrase "an individual doing business under the trade name of _____".

are hereby held and firmly bound unto The Port Authority of New York and New Jersey (herein called the "Authority") in the penal sum of **Ten Million One Hundred Fifty Five Thousand Dollars**

and 00 Cents (\$10,155,000.00), for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, representatives, executors, administrators, successors and assigns. Each surety, however, if there is more than one, shall be jointly and severally liable for said penal sum.

Signed this 16th day of November 2011

The condition of the above obligation is that

WHEREAS, the above named principal has entered into a Contract in writing with the Authority, a copy of which is hereby made a part of this bond as though herein set forth in full and which is designated Contract WTC- 264.625 - "North South Concourse Architectural Steel", and

WHEREAS, the Authority has required this bond for the payment of all lawful claims of subcontractors, materialmen and workmen arising out of the performance of said Contract;

NOW, if all lawful claims of subcontractors, materialmen and workmen arising out of the performance of said Contract are paid, then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that, provided the sureties shall comply with the provisions hereof, the aggregate liability of all sureties for any and all claims hereunder shall in no event exceed the penal amount of this obligation as hereinbefore stated.

This undertaking is for the benefit of the Authority and all subcontractors, materialmen and workmen having lawful claims arising out of the performance of said Contract, and all such subcontractors, materialmen and workmen (as well as the Authority itself) shall have a direct right of action upon this bond; but the rights and equities of such subcontractors, materialmen and workmen shall be subject and subordinate to those of the Authority.

The sureties, for value received, hereby stipulate and agree that the obligations of said sureties and their bond shall be in no way impaired or affected by any extensions of time, modification, omission, addition or change in or to the said Contract or the construction to be performed thereunder, or by any supervision or inspection or omission to supervise or inspect the construction, or by any payment thereunder before the time required therein, or by any waiver of any provision or condition thereof (whether precedent or subsequent), or by any assignment, subletting or other transfer thereof or of any part thereof or of any construction to be performed or any moneys due or to become due thereunder; and said sureties do hereby waive notice of any and all of such extensions, modifications, omissions, additions, changes, payments, waivers, assignments, subcontracts and transfers, and hereby expressly stipulate and agree that any and all things done and omitted to be done by and in relation to assignees, subcontractors and other transferees shall have the same effect as to said sureties as though done by or in relation to said principal.

The sureties shall give the General Counsel of the Authority the following notices:

1. Written notice of an intent to pay any claim of a subcontractor, materialman or workman hereunder;
2. Written notice within five days of the institution of an action by a subcontractor, materialman or workman hereunder.

The sureties shall not pay the claim of any subcontractor, materialman or workman hereunder until the expiration of thirty days after receipt by said General Counsel of notice under either subparagraph A or B above, describing the claim to be paid.

IN WITNESS WHEREOF, the principal and the sureties have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

(Seal)

Federal Insurance Company

BY: Nancy Schnee

Nancy Schnee, Attorney-in-Fact

Liberty Mutual Insurance Company

BY: Nancy Schnee

Nancy Schnee, Attorney-in-Fact

The Continental Insurance Company

BY: Nancy Schnee

Nancy Schnee, Attorney-in-Fact

Skanska-Koch Inc.

Principal

By ¹⁷

Robert Koch

Fidelity and Deposit Company of Maryland/

Zurich American Insurance Company

Surety

By ¹⁸

Nancy Schnee
Nancy Schnee, Attorney-in-Fact

APPROVED AS TO ACCEPTABILITY OF SURETIES:

Michael Mayermich
Credit Manager

November 30, 2011

¹⁷ If bond is signed by an officer or agent, give title; if signed by a corporation, affix corporate seal.

¹⁸ Add signatures of additional sureties, if any.

ACKNOWLEDGMENT OF PRINCIPAL, IF A CORPORATION

State of New Jersey

SS:

County of Middlesex

On this 17th day of November, 2011, before me personally came and appeared Robert Koch, to me known and known to Skanska Koch Inc., a corporation, described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm.

(Notary Seal)

Jo Ann Puskas

(Notary

Signature) **JO-ANN PUSKAS**
Notary Public of New Jersey
(Seal) My Commission Expires April 21, 2012

ACKNOWLEDGMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____

SS:

County of _____

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known, and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm.

(Seal)

(Notary Signature)

ACKNOWLEDGMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____

SS:

County of _____

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known and known to me to be the person described in and who executed the foregoing instrument and he acknowledged to me that he executed the same.

(Seal)

(Notary Signature)

AFFIX ACKNOWLEDGMENT AND JUSTIFICATION OF SURETY

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Fidelity and Deposit Company of Maryland/Zurich American Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2013.

[Handwritten signature of Beverly A. Woolford]
Notary Public

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schneeto ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Federal Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2012

Beverly A. Woolford
Notary Public

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schne TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Liberty Mutual Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREFGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

JEFFREY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO8132857
Qualified in Queens County
Commission Expires August 29, 2013

Handwritten signature of Jeffrey A. Woolford over a dashed line, with the printed text 'Notary Public' below it.

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF The Continental Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREFGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2013

Notary Public

Beverly A. Woolford (handwritten signature)

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Matthew KELLY and Annette LEUSCHNER**, all of Jericho, New York, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney replaces that issued on behalf of James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Annette LEUSCHNER, dated March 28, 2011.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 6th day of April, A.D. 2011.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Eric D. Barnes

Eric D. Barnes Assistant Secretary

Frank E. Martin Jr.

By: Frank E. Martin Jr. Vice President

State of Maryland }
City of Baltimore } ss:

On this 6th day of April, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski Notary Public
My Commission Expires: July 8, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

this _____ day of _____ **NOV 15 2011**

Gerald F. Halcy
Assistant Secretary

FIDELITY AND DEPOSIT COMPANY

OF MARYLAND

600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

Statement of Financial Condition

As Of December 31, 2010

ASSETS

Bonds	\$ 167,717,443
Stocks	23,571,636
Cash and Short Term Investments	250,663
Reinsurance Recoverable	478,827
Other Accounts Receivable	44,516,527
TOTAL ADMITTED ASSETS	\$ 236,535,096

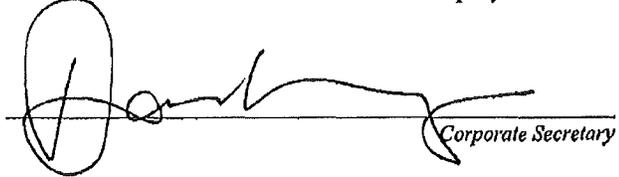
LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 225,295
Ceded Reinsurance Premiums Payable	39,963,782
Securities Lending Collateral Liability	3,077,700
TOTAL LIABILITIES	\$ 43,266,777
Capital Stock, Paid Up	\$ 5,000,000
Surplus	188,268,319
Surplus as regards Policyholders	193,268,319
TOTAL	\$ 236,535,096

Securities carried at \$45,648,865 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2010 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$245,239,534 and surplus as regards policyholders \$201,972,757.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2010.



 Corporate Secretary

State of Illinois }
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 31st day of March, 2011.



 Notary Public



ZURICH AMERICAN INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the ZURICH AMERICAN INSURANCE COMPANY, a corporation created by and existing under the laws of the State of New York does hereby nominate, constitute and appoint James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Matthew KELLY and Annette LEUSCHNER, all of Jericho, New York, EACH its true and lawful Attorneys-In-Fact with power and authority hereby conferred to sign, seal, and execute in its behalf, during the period beginning with the date of issuance of this power, : any and all bonds and undertakings, recognizances or other written obligations in the nature thereof, and to bind ZURICH AMERICAN INSURANCE COMPANY thereby, and all of the acts of said Attorney[s]-in-Fact pursuant to these presents are hereby ratified and confirmed. This Power of Attorney is made and executed pursuant to and by the authority of the following By-Law duly adopted by the Board of Directors of the Company which By-Law has not been amended or rescinded.

Article VI, Section 5. "...The President or a Vice President in a written instrument attested by a Secretary or an Assistant Secretary may appoint any person Attorney-In-Fact with authority to execute surety bonds on behalf of the Company and other formal underwriting contracts in reference thereto and reinsurance agreements relating to individual policies and bonds of all kinds and attach the corporate seal. Any such officers may revoke the powers granted to any Attorney-In-Fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY by unanimous consent in lieu of a special meeting dated December 15, 1998

" RESOLVED, that the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile on any Power of Attorney pursuant to Article VI, Section 5 of the By-Laws, and the signature of a Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power. Any such power or any certificate thereof with such facsimile signature and seal shall be valid and binding on the Company. Furthermore, such power so executed, sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding on the Company."

IN WITNESS WHEREOF, the ZURICH AMERICAN INSURANCE COMPANY has caused these presents to be executed in its name and on its behalf and its Corporate Seal to be hereunto affixed and attested by its officers thereunto duly authorized, this 6th day of April, A.D. 2011. This power of attorney revokes that issued on behalf of James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Vincent A. WALSH, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Annette LEUSCHNER, dated March 3, 2011.



ZURICH AMERICAN INSURANCE COMPANY

Gerald F. Haley

Frank E. Martin Jr.

STATE OF MARYLAND }
CITY OF BALTIMORE }

ss: Gerald F. Haley

Secretary

By:

Frank E. Martin Jr.

Vice President

On the 6th day of April, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came the above named Vice President and Secretary of ZURICH AMERICAN INSURANCE COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument and they each acknowledged the execution of the same and being by me duly sworn, they severally and each for himself deposed and said that they respectively hold the offices in said Corporation as indicated, that the Seal affixed to the preceding instrument is the Corporate Seal of said Corporation, and that the said Corporate Seal, and their respective signature as such officers, were duly affixed and subscribed to the said instrument pursuant to all due corporate authorization.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above.



Constancia A. Duran

Notary Public

My Commission Expires: July 14, 2011

This Power of Attorney limits the acts of those named therein to the bonds and undertaking specifically named therein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

CERTIFICATE

I, the undersigned, a Secretary of the ZURICH AMERICAN INSURANCE COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that Article VI, Section 5 of the By-Laws of the Company and the Resolution of the Board of Directors set forth in said Power of Attorney are still in force.

IN TESTIMONY WHEREOF I have hereto subscribed my name and affixed the seal of said Company

Gregory E. Murray

the _____ day of _____

NOV 16 2011

Gregory E. Murray

Secretary



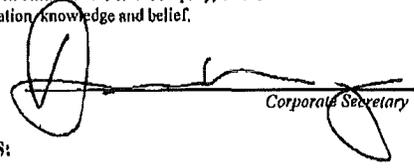
ZURICH AMERICAN INSURANCE COMPANY
COMPARATIVE BALANCE SHEET
ONE LIBERTY PLAZA, 165 BROADWAY, 32nd FLOOR, NEW YORK, NY 10006
As of December 31, 2010 and December 31, 2009

	12/31/2010	12/31/2009
Assets		
Bonds	\$ 18,919,367,229	\$ 18,856,255,156
Preferred Stock	881,155	983,952
Common Stock	2,164,868,224	2,414,799,006
Real Estate	-	-
Other Invested Assets	2,064,283,585	1,955,583,185
Short-term Investments	201,721,691	442,083,498
Receivable for securities	-	924,864
Cash and cash equivalents	295,413,702	81,175,295
Securities lending reinvested collateral assets	355,288,472	-
Employee Trust for Deferred Compensation Plan	123,641,790	115,265,399
Total Cash and Invested Assets	\$ 24,125,465,848	\$ 23,867,070,354
Premiums Receivable	\$ 3,435,875,097	\$ 3,789,891,423
Funds Held with Reinsurers	62,508,828	17,543,464
Reinsurance Recoverable	217,412,579	334,417,233
Accrued Investment Income	155,412,983	153,168,265
Federal Income Tax Recoverable	864,441,400	938,076,547
Due from Affiliates	84,104,105	270,234,627
Other Assets	475,167,605	565,343,140
Total Assets	\$ 29,420,388,445	\$ 29,935,745,054
Liabilities and Policyholders' Surplus		
Liabilities:		
Loss and LAE Reserves	\$ 14,303,526,826	\$ 14,457,673,205
Unearned Premium Reserve	4,266,385,678	4,286,806,531
Funds Held with Reinsurers	220,452,519	249,802,186
Loss in Course of Payment	326,096,480	416,324,234
Commission Reserve	129,070,777	154,104,769
Federal Income Tax Payable	53,201,046	24,130,322
Remittances and Items Unallocated	47,400,078	152,534,594
Payable to parent, subs and affiliates	130,008,907	304,648,750
Provision for Reinsurance	64,548,922	74,859,513
Ceded Reinsurance Premiums Payable	138,866,405	62,782,469
Securities Lending Collateral Liability	356,743,459	328,068,754
Other Liabilities	2,009,922,767	2,006,859,109
Total Liabilities	\$ 22,046,223,864	\$ 22,518,594,436
Policyholders' Surplus:		
Common Capital Stock	\$ 5,000,000	\$ 5,000,000
Paid-In and Contributed Surplus	4,394,131,321	4,394,131,321
Surplus Notes	1,533,000,000	1,883,000,000
Special Surplus Retroactive Reinsurance	96,392,000	101,720,000
Change in Net Deferred Tax Asset	321,550,097	348,814,703
Cumulative Unrealized Gain	132,277,573	(74,742,079)
Dividends Undeclared	-	-
Loss Portfolio Transfer Account	-	-
Unassigned Surplus	891,813,591	759,226,673
Total Policyholders' Surplus	\$ 7,374,164,581	\$ 7,417,150,618
Total Liabilities and Policyholders' Surplus	\$ 29,420,388,445	\$ 29,935,745,054

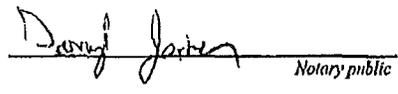
I, Dennis F. Kerrigan, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2010, according to the best of my information, knowledge and belief.

State of Illinois
County of Cook

} SS:


Corporate Secretary

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 31st day of March, 2011.


Notary public





Chubb
Surety

POWER
OF
ATTORNEY

Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company

Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059

Know All by These Presents. That FEDERAL INSURANCE COMPANY, an Indiana corporation, VIGILANT INSURANCE COMPANY, a New York corporation, and PACIFIC INDEMNITY COMPANY, a Wisconsin corporation, do each hereby constitute and appoint Andrea E. Gorbert, Matthew Kelly, Annette Leuschner, William A. Marino, James E. Marran, Jr., David W. Rosehill and Nancy Schnee of Jericho, New York

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY have each executed and attested these presents and affixed their corporate seals on this 8th day of July, 2011.

Kenneth C. Wendel, Assistant Secretary

David B. Norris, Jr., Vice President

STATE OF NEW JERSEY
County of Somerset

ss

On this 8th day of July, 2011 before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY, the companies which executed the foregoing Power of Attorney, and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies, and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence

Notarial Seal



KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2316685
Commission Expires July 14, 2014

Katherine J. Adelaar
Notary Public

CERTIFICATION

Extract from the By-Laws of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY:

'All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers, Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.'

I, Kenneth C. Wendel, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island; and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren, NJ this

NOV 16 2011



Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

FEDERAL INSURANCE COMPANY

STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

DECEMBER 31, 2010

(in thousands of dollars)

<u>ASSETS</u>	<u>LIABILITIES AND SURPLUS TO POLICYHOLDERS</u>
Cash and Short Term Investments..... \$ 235,579	Outstanding Losses and Loss Expenses \$ 12,051,257
United States Government, State and Municipal Bonds..... 10,931,173	Unearned Premiums..... 3,331,654
Other Bonds..... 4,110,731	Ceded Reinsurance Premiums Payable..... 329,476
Stocks..... 837,803	Provision for Reinsurance..... 70,491
Other Invested Assets..... 1,909,914	Other Liabilities..... 962,493
TOTAL INVESTMENTS..... 18,025,200	TOTAL LIABILITIES..... 16,745,371
Investments in Affiliates:	Special Surplus Funds..... 174,400
Chubb Investment Holdings, Inc..... 3,002,346	Capital Stock..... 20,980
Pacific Indemnity Company..... 2,424,142	Paid-In Surplus..... 3,106,808
Chubb Insurance Investment Holdings Ltd. ... 1,275,789	Unassigned Funds..... 11,015,075
Executive Risk Indemnity Inc..... 1,111,774	
CC Canada Holdings Ltd. 752,455	SURPLUS TO POLICYHOLDERS..... 14,317,263
Great Northern Insurance Company..... 459,252	
Chubb Insurance Company of Australia Limited 313,107	TOTAL LIABILITIES AND SURPLUS
Chubb European Investment Holdings SLP... 234,636	TO POLICYHOLDERS..... \$ 31,062,634
Vigilant Insurance Company..... 212,646	
Other Affiliates..... 381,791	
Premiums Receivable..... 1,441,826	
Other Assets..... 1,427,670	
TOTAL ADMITTED ASSETS..... \$ 31,062,634	

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners.
Investments with a carrying value of \$452,427,638 are deposited with government authorities as required by law.

State, County & City of New York, — ss:

Yvonne Baker, Assistant Secretary _____ of the Federal Insurance Company

being duly sworn, deposes and says that the foregoing Statement of Assets, Liabilities and Surplus to Policyholders of said Federal Insurance Company on December 31, 2010 is true and correct and is a true abstract of the Annual Statement of said Company as filed with the Secretary of the Treasury of the United States for the 12 months ending December 31, 2010.

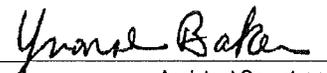
Subscribed and sworn to before me
this

NOV 16 2011



Dorothy M. Baker
Notary Public

DOROTHY M. BAKER
Notary Public, State of New York
No. 31-4904994
Qualified in New York County
Commission Expires Sept. 14, 2013



Yvonne Baker
Assistant Secretary

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint WILLIAM A. MARINO, DAVID W. ROSEHILL, NANCY SCHNEE, THERESA J. FOLEY, JAMES E. MARRAN, JR., ANDREA E. GORBERT, ANNETTE LEUSCHNER, JOHN P. HYLAND, MATTHEW KELLY, ALL OF THE CITY OF JERICHO, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIVE HUNDRED MILLION AND 00/100 DOLLARS (\$ 500,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 20th day of April, 2011.

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 20th day of April, 2011, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Member, Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this NOV 16 2011 day of



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2010

Assets	Liabilities
Cash and Bank Deposits \$ 795,278,733	Unearned Premiums \$3,502,531,059
*Bonds — U.S Government 928,976,332	Reserve for Claims and Claims Expense..... 15,450,806,243
*Other Bonds 12,269,586,768	Funds Held Under Reinsurance Treaties..... 1,764,193,716
*Stocks..... 8,410,330,089	Reserve for Dividends to Policyholders..... 4,776,435
Real Estate 280,897,925	Additional Statutory Reserve 89,441,297
Agents' Balances or Uncollected Premiums 2,971,477,549	Reserve for Commissions, Taxes and
Accrued Interest and Rents 156,129,412	Other Liabilities <u>2,126,508,564</u>
Other Admitted Assets <u>10,888,871,535</u>	Total <u>\$22,938,257,314</u>
Total Admitted Assets <u>\$36,701,548,343</u>	Special Surplus Funds..... \$1,218,426,655
	Capital Stock..... 10,000,000
	Paid in Surplus..... 7,731,965,815
	Unassigned Surplus..... 4,802,898,559
	Surplus to Policyholders <u>13,763,291,029</u>
	Total Liabilities and Surplus <u>\$36,701,548,343</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2010, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 29th day of March, 2011.

T. Mikolajewski

Assistant Secretary

THE CONTINENTAL INSURANCE COMPANY
Reading, Pennsylvania
Statement of Net Admitted Assets and Liabilities
December 31, 2010

ASSETS

Bonds	\$ 1,617,690,034
Stocks	262,563,920
Cash and short-term investments	346,571,595
Uncollected premiums and agents' balances	106,243,722
Amounts recoverable from reinsurers	56,821,207
Funds held by or deposited with reinsured companies	96,751,460
Net deferred tax asset	56,839,043
Electronic data processing equipment and software	0
Investment income due and accrued	21,966,477
Other assets	92,764,149
Total Assets	<u><u>\$ 2,658,211,607</u></u>

LIABILITIES AND SURPLUS

Losses	\$ 813,371,026
Loss adjustment expense	34,966,462
Contingent and other commissions payable	20,026,813
Other expense	10,244,729
Taxes, licenses and fees	53,373,478
Federal and foreign income taxes payable	0
Unearned premiums	0
Retroactive reinsurance reserve assumed	0
Other liabilities	579,712,559
Total Liabilities	<u>1,511,695,067</u>
 Surplus Account:	
Capital paid up	96,666,681
Gross paid in and contributed surplus	1,423,436,994
Unassigned funds	<u>(373,587,135)</u>
Surplus as regards policyholders	<u>\$ 1,146,516,540</u>
Total Liabilities and Capital	<u><u>\$ 2,658,211,607</u></u>

State of Illinois)
) ss
County of Cook)

I, Amy M. Smith, Assistant Vice President of The Continental Insurance Company hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2010, as filed with the various Insurance Departments and is a true and correct statement of the condition of The Continental Insurance Company as of that date.



The Continental Insurance Company
By Amy M. Smith
Assistant Vice President

Subscribed and sworn to me this 30th day of March, 2011.

My commission expires:
Winnie Lin
My Commission Expires 02-28-2013

[Signature]
Notary Public

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Annette Leuschner, William A Marino, James E Marran Jr, David W Rosehill, Nancy Schnee, Theresa J Foley, Daryl La Forge, Andrea E Gorbert, Matthew J Kelly, Individually

of Jericho, NY, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 7th day of April, 2011.



The Continental Insurance Company

[Handwritten Signature]

Stathy Darcy Senior Vice President

State of Illinois, County of Cook, ss:

On this 7th day of April, 2011, before me personally came Stathy Darcy to me known, who, being by me duly sworn, did depose and say: that she resides in the City of Glenview, State of Illinois; that she is a Senior Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that she knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires September 17, 2013

[Handwritten Signature]

Eliza Price Notary Public

CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this NOV 16 2011 day of _____.



The Continental Insurance Company

[Handwritten Signature]

Mary A. Ribikawskis Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the company.

“Article VI-Execution of Documents

Section 3. Appointment of Attorney-in-Fact. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President or the Board of Directors, may, at any time, revoke all power and authority previously given to any attorney-in-fact.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolution adopted by the Executive Committee of the Board of Directors of The Continental Insurance Company by unanimous written consent dated the 13th day of January, 1989:

RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.”

Massoth, Craig

From: Timothy J. Davidow [timothy.davidow@zurichna.com]
Sent: Wednesday, November 30, 2011 9:12 AM
To: Massoth, Craig
Subject: Re: FW: Skanska Koch PPB - Second Request
Attachments: Skanska Koch PmtBond WTC-264625.pdf; Skanska Koch PerfBond WTC-264625.pdf

Craig:

This bond is authentic

Timothy Davidow
Sr. Account Executive
Surety Credit & Political Risk

P (973) 394 5119
C (973) 650 6685
F (973) 394 5171

"Massoth, Craig"
<cmassoth@panynj.gov>

11/30/2011 08:24 AM

To
<timothy.davidow@zurichna.com>
cc
Subject
FW: Skanska Koch PPB - Second Request

Massoth, Craig

From: kadelaar@chubb.com
Sent: Wednesday, November 23, 2011 2:28 PM
To: Massoth, Craig
Subject: Fw: Skanska Koch PPB

Craig, good afternoon:

FEDERAL INSURANCE COMPANY verifies the following:

CONTRACTOR Skanska Koch, Inc

CONTRACT NO. WTC-264.625

AMOUNT OF BOND \$10,155,000.00

BOND NUMBER 82139771

Please advise should you require any additional information.

Regards,

Kate

Kate Adelaar - Chubb & Son, a division of Federal Insurance Company - Surety Services Supervisor
15 Mountain View Road - 3MV 1-25, Warren, NJ 07059
Office: 908.903.4538 - Fax: 908.903.5400 - kadelaar@chubb.com

cmassoth@panvnj.gov

Massoth, Craig

From: Dipasquale, James [James.Dipasquale@LibertyMutual.com]
Sent: Monday, November 28, 2011 10:09 AM
To: Massoth, Craig
Subject: FW: Skanska PPB
Attachments: Skanska Koch PmtBond WTC-264625.pdf; Skanska Koch PerfBond WTC-264625.pdf

Importance: High

Craig, the Performance and Payment bonds issued for Skanska Koch, Inc. for WTC-264625 are valid.
If you need anything further please let me know.

*James A. DiPasquale
Liberty Mutual Surety
114 West 47th Street, 21st Floor
New York, New York 10036
Phone: 212-719-7742
Fax: 866-548-7565
email: james.dipasquale@libertymutual.com*

From: Macdonald, Thomas
Sent: Wednesday, November 23, 2011 2:15 PM
To: Dipasquale, James
Subject: FW: Skanska PPB
Importance: High

Here you go Jim.

From: Massoth, Craig [mailto:cmassoth@panynj.gov]
Sent: Wednesday, November 23, 2011 2:07 PM
To: Macdonald, Thomas
Subject: Skanska PPB
Importance: High

<<Skanska Koch PmtBond WTC-264625.pdf>> <<Skanska Koch PerfBond WTC-264625.pdf>>

Please verify that this Performance Bond and Payment Bond are authentic:

Massoth, Craig

From: Fullerton, Jon E. [Jon.Fullerton@cnaSurety.com]
Sent: Monday, November 28, 2011 10:47 AM
To: Massoth, Craig
Subject: RE: Skanska Koch PPB

Mr. Massoth:

Please allow this email to confirm that the performance and payment bond numbers 929527136 issued by The Continental Insurance Company, as one of the co-sureties listed on the bonds, in favor of the Port Authority of New York and New Jersey in the amount of \$10,155,000 is authentic. This was issued for Contract WTC-264.625 "North-South Concourse Architectural Steel" on behalf of Skanska Koch Inc.

Please let me know if any additional information is required.

Regards,

Jon E. Fullerton
Director and Branch Manager
CNA Surety
40 Wall Street, 10th Floor
New York, NY 10005-2301
212-440-7356
fax 212-440-7351
jon.fullerton@cnaSurety.com
www.cna.com

From: Massoth, Craig [mailto:cmassoth@panynj.gov]
Sent: Wednesday, November 23, 2011 1:22 PM
To: Fullerton, Jon E.
Subject: FW: Skanska Koch PPB
Importance: High

Sorry the amount of the bond is \$10,155,000.

Skanska Koch Inc.

Invoice No. 100000475053

Skanska Koch Inc.
Attn: John Papaglannakis
400 Roosevelt Ave.
Carteret NJ 07008 USA

Aon Risk Services Northeast, Inc.
Jericho NY Broadway Office
390 North Broadway
Jericho NY 11753

Client Account No.	Invoice Date	Currency	Account Executive
570000045356	Nov-17-2011	US DOLLAR	Heidi Strom

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Fidelity & Deposit Company of MD	09066915 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	24,372.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					24,372.00

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Federal Insurance Company	82139771 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	12,186.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					12,186.00

Skanska Koch Inc.

Invoice No. 100000475053

Skanska Koch Inc.
Attn: John Papagiannakis
400 Roosevelt Ave.
Carteret NJ 07008 USA

Aon Risk Services Northeast, Inc.
Jericho NY Broadway Office
390 North Broadway
Jericho NY 11753

Client Account No.	Invoice Date	Currency	Account Executive
570000045356	Nov-17-2011	US DOLLAR	Heidi Strom

Transaction No. 001

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Fidelity & Deposit Company of MD	09066915 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	24,372.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					24,372.00

Transaction No. 002

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Federal Insurance Company	82139771 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	12,186.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					12,186.00



Skanska Koch Inc.

Invoice No. 100000475053

Transaction No. 003

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Liberty Mutual Insurance Co.	015033541 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	16,451.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					16,451.00

Transaction No. 004

Insurance Co.	Policy No. / Named Insured	Policy Term	Trans. Eff. Date	Description	Amount
Continental Insurance Company	929527136 Skanska Koch Inc.	Nov-16-2011 - Nov-16-2012	Nov-16-2011	New - Contract Bond Premium	7,921.00
Comments Prin:SKANSKA KOCH INC. Obi:PORT AUTHORITY OF NEW YORK AND NEW JERSEY(PANYNJ) Desc:WTC Site Transportation Hub-North-South Concourse Architectural Steel Contract WTC-264.625 C-017-R12-264.625 C/P&B/A:\$10,155,000 Ques,call Beverly Woolford@516-396-4496					
Transaction Total Due					7,921.00
TOTAL INVOICE AMOUNT DUE					60,930.00

TO AVOID POTENTIAL DISRUPTION IN COVERAGE, PLEASE PAY IMMEDIATELY.
For Wire instructions, contact your Account Executive.

Please see last page for statement regarding Aon compensation.

Page 2 of 3

This is a Reissued Invoice

▼ Please detach here. Top portion is for your records, bottom portion to be returned with your payment. ▼

Client Account No.	Invoice No.	Invoice Date	Currency	Amount Due
570000045356	100000475053	Nov-17-2011	US DOLLAR	60,930.00

Skanska Koch Inc.
Attn: John Papagiannakis
400 Roosevelt Ave.
Carteret NJ 07008 USA

Send remittance to:
Aon Risk Services Northeast, Inc.
Aon Risk Services, Inc.
P.O. Box 7247 - 7376
Philadelphia PA 19170-7376

Regarding Compensation

Affiliates of Aon Group, Inc. that provide retail, wholesale and reinsurance brokerage, risk management, underwriting and/or claim management, captive management, premium financing, or consulting may receive compensation in the form of (i) commissions and/or fees paid by an insurer and/or other third party and/or fees paid by a client; and (ii) investment and/or interest income on premiums, claim payments and return premiums temporarily held as fiduciary funds subject to the principal's consent as may be required or permitted by applicable law.

To the extent that any portion of Aon's compensation by operation of law, agreement or otherwise becomes adjusted or credited to you, it is your responsibility to disclose the actual net cost to you of the brokerage and insurance costs you have incurred to third party(ies) having an interest in such amounts.

If you have any questions regarding the nature or amount of the compensation paid to any Aon company on your account, we encourage you to contact the head of the Aon office that services your account.

Bond Nos: F&D/Zurich: 09066915
Federal: 82139771
Liberty: 015033541
CIC: 929527138

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned¹³ Contractor and surety company (or companies), as principal and surety (or sureties), respectively,

<u>Contractor</u>	<u>Surety</u>
Skanska Koch Inc.* 400 Roosevelt Avenue Carteret, NJ 07008 * a corporation organized under the laws of the State of Delaware.	Fidelity and Deposit Company of Maryland/ Zurich American Insurance Company 1400 American Lane, Schaumburg, IL 60196 Federal Insurance Company 15 Mountain View Road Warren, NJ 07059 Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116 The Continental Insurance Company CNA Center, 333 South Wabash Chicago, IL 60685

approved
1.1
11/23/11

¹³ Insert names of the Contractor and surety company (or companies) in the appropriate columns. If space is insufficient add rider.
If the Contractor is a corporation, give the state of incorporation, using also the phrase "a corporation organized under the laws of _____".
If the Contractor is a partnership, give full names of partners, using the phrase "co-partners doing business under the firm name of _____".
If the Contractor is an individual using a trade name, give individual name, using also the phrase "an individual doing business under the trade name of _____".

Bond Nos: F&D/Zurich: 09066915
Federal: 82139771
Liberty: 015033541
CIC: 929527136

PERFORMANCE BOND

KNOW ALL MEN BY THESE PRESENTS that we, the undersigned¹³ Contractor and surety company (or companies), as principal and surety (or sureties), respectively,

Contractor	Surety
Skanska Koch Inc.* 400 Roosevelt Avenue Carteret, NJ 07008 * a corporation organized under the laws of the State of Delaware.	Fidelity and Deposit Company of Maryland/ Zurich American Insurance Company 1400 American Lane, Schaumburg, IL 60196 Federal Insurance Company 15 Mountain View Road Warren, NJ 07059 Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116 The Continental Insurance Company CNA Center, 333 South Wabash Chicago, IL 60685

¹³ Insert names of the Contractor and surety company (or companies) in the appropriate columns. If space is insufficient add rider.

If the Contractor is a corporation, give the state of incorporation, using also the phrase "a corporation organized under the laws of _____".

If the Contractor is a partnership, give full names of partners, using the phrase "co-partners doing business under the firm name of _____".

If the Contractor is an individual using a trade name, give individual name, using also the phrase "an individual doing business under the trade name of _____".

are hereby held and firmly bound unto The Port Authority of New York and New Jersey (herein called the "Authority") in the penal sum of Ten Million One Hundred Fifty Five Thousand Dollars

and 00 Cents (\$10,155,000.00), for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, representatives, executors, administrators, successors and assigns. Each surety, however, if there is more than one, shall be jointly and severally liable for said penal sum.

Signed this 16th day of November 2011

The condition of the above obligation is that

WHEREAS, the above named principal has entered into a Contract in writing with the Authority, a copy of which is hereby made a part of this bond as though herein set forth in full and which is designated Contract WTC- 264.625 – "North-South Concourse Architectural Steel", and

WHEREAS, the Authority has required this bond for the faithful performance of all obligations imposed by said Contract;

NOW, if the said principal shall well and faithfully do and perform the things agreed by him to be done and performed according to the terms and true intent and meaning of said Contract, then this obligation shall be void, otherwise the same shall remain in full force and effect; it being expressly understood and agreed that, provided the sureties shall comply with the provisions hereof, the aggregate liability of all sureties for any and all claims hereunder shall in no event exceed the penal amount of this obligation as hereinbefore stated.

This undertaking is for the benefit of the Authority and all subcontractors, materialmen and workmen having lawful claims arising out of the performance of said Contract, and all such subcontractors, materialmen and workmen (as well as the Authority itself) shall have a direct right of action upon this bond; but the rights and equities of such subcontractors, materialmen and workmen shall be subject and subordinate to those of the Authority.

The sureties, for value received, hereby stipulate and agree that the obligations of said sureties and their bond shall be in no way impaired or affected by any extensions of time, modification, omission, addition or change in or to the said Contract or the construction to be performed thereunder, or by any supervision or inspection or omission to supervise or inspect the construction, or by any payment thereunder before the time required therein, or by any waiver of any provision or condition thereof (whether precedent or subsequent), or by any assignment, subletting or other transfer thereof or of any part thereof or of any construction to be performed or any moneys due or to become due thereunder; and said sureties do hereby waive notice of any and all of such extensions, modifications, omissions, additions, changes, payments, waivers, assignments, subcontracts and transfers, and hereby expressly stipulate and agree that any and all things done and omitted to be done by and in relation to assignees, subcontractors and other transferees shall have the same effect as to said sureties as though done by or in relation to said principal.

The sureties shall give the General Counsel of the Authority the following notices:

1. Written notice of an intent to pay any claim of a subcontractor, materialman or workman hereunder;
2. Written notice within five days of the institution of an action by a subcontractor, materialman or workman hereunder.

The sureties shall not pay the claim of any subcontractor, materialman or workman hereunder until the expiration of thirty days after receipt by said General Counsel of notice under either subparagraph A or B above, describing the claim to be paid.

IN WITNESS WHEREOF, the principal and the sureties have hereunto set their hands and seals, and such of them as are corporations have caused their corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.

Skanska Koch Inc.

(Seal)

Principal
By ¹⁴ Robert Koch

Fidelity and Deposit Company of Maryland/
Zurich American Insurance Company

Federal Insurance Company
By: Nancy Schnee
Nancy Schnee, Attorney-in-Fact

Surety
By ¹⁵ Nancy Schnee
Nancy Schnee, Attorney-in-Fact

Liberty Mutual Insurance Company
By: Nancy Schnee
Nancy Schnee, Attorney-in-fact

The Continental Insurance Company
BY: Nancy Schnee
Nancy Schnee, Attorney-in-Fact

APPROVED AS TO ACCEPTABILITY OF SURETIES:

Michael Maxymuk
Credit Manager

December 1, 20 11

¹⁴ If bond is signed by an officer or agent, give title; if signed by a corporation, affix corporate seal.

¹⁵ Add signatures of additional sureties, if any.

ACKNOWLEDGMENT OF PRINCIPAL, A CORPORATION

State of New Jersey

SS:

County of Middlesex

On this 17th day of November 2011, before me personally came and appeared Robert Koch, to me known and known to be President of Skanska Koch Inc., a corporation, described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm.

(Notary Seal)

Jo-Ann Puskas

(Notary

Signature)

JO-ANN PUSKAS

Notary Public of New Jersey

My Commission Expires April 21, 2012

(Seal)

ACKNOWLEDGMENT OF PRINCIPAL, IF A PARTNERSHIP

State of _____

SS:

County of _____

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known, and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm.

(Seal)

(Notary Signature)

ACKNOWLEDGMENT OF PRINCIPAL, IF AN INDIVIDUAL

State of _____

SS:

County of _____

On this _____ day of _____, 20____, before me personally came and appeared _____, to me known, and known to me to be one of the members of the firm of _____ described in and who executed the foregoing instrument and he acknowledged to me that he executed the same as and for the act and deed of said firm.

(Seal)

(Notary Signatnre)

ACKNOWLEDGMENT OF SURETY COMPANY

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Fidelity and Deposit Company of Maryland/Zurich American Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2013

Beverly A. Woolford
Notary Public

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Federal Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

Beverly A. Woolford
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2013

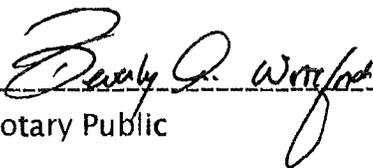
[Handwritten signature of Beverly A. Woolford]
Notary Public

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF Liberty Mutual Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01W/O6122857
Qualified in Queens County
Comm. Expires: April 27, 2018



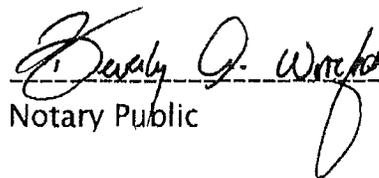
Notary Public

ACKNOWLEDGEMENT OF SURETY

STATE OF New York,)
COUNTY OF Nassau,)

ON THE 16th DAY OF November, 2011 , BEFORE ME PERSONALLY CAME Nancy Schnee TO ME KNOWN, WHO, BEING BY ME DULY SWORN, DID DEPOSE AND SAY THAT (S)HE RESIDES AT Rockville Centre, New York THAT (S)HE IS THE ATTORNEY-IN-FACT OF The Continental Insurance Company THE CORPORATION DESCRIBED IN AND WHICH EXECUTED THE ABOVE INSTRUMENT; THAT (S)HE KNOWS THE SEAL OF SAID CORPORATION; THAT ONE OF THE SEALS AFFIXED TO THE FOREFGOING INSTRUMENT IS SUCH SEAL; THAT IT WAS SO AFFIXED BY ORDER OF THE BOARD OF DIRECTORS OF SAID CORPORATION; AND THAT (S)HE SIGNED HIS/HER NAME THERETO BY LIKE ORDER.

BEVERLY A. WOOLFORD
NOTARY PUBLIC, State of New York
No. 01WO6132857
Qualified in Queens County
Commission Expires August 29, 2013



Notary Public

**Power of Attorney
FIDELITY AND DEPOSIT COMPANY OF MARYLAND**

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the reverse side hereof and are hereby certified to be in full force and effect on the date hereof, does hereby nominate, constitute and appoint **James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Matthew KELLY and Annette LEUSCHNER**, all of Jericho, New York, EACH its true and lawful agent and Attorney-in-Fact, to make, execute, sign and deliver, for and on its behalf as surety, and as its act and deed: **any and all bonds and undertakings**, and the execution of such bonds or undertakings in pursuance of these presents, shall be as binding upon said Company, as fully and amply, to all intents and purposes, as if they had been duly executed and acknowledged by the regularly elected officers of the Company at its office in Baltimore, Md., in their own proper persons. This power of attorney replaces that issued on behalf of James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Annette LEUSCHNER, dated March 28, 2011.

The said Assistant Secretary does hereby certify that the extract set forth on the reverse side hereof is a true copy of Article VI, Section 2, of the By-Laws of said Company, and is now in force.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND, this 6th day of April, A.D. 2011.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Eric D. Barnes

Eric D. Barnes Assistant Secretary

Frank E. Martin Jr.

By: Frank E. Martin Jr. Vice President

State of Maryland }
City of Baltimore } ss:

On this 6th day of April, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came FRANK E. MARTIN JR., Vice President, and ERIC D. BARNES, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself deposed and saith, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Maria D. Adamski

Maria D. Adamski Notary Public
My Commission Expires: July 8, 2011

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

“Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute on behalf of the Company any bonds, undertakings, recognizances, stipulations, policies, contracts, agreements, deeds, and releases and assignments of judgements, decrees, mortgages and instruments in the nature of mortgages,...and to affix the seal of the Company thereto.”

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing Power of Attorney is still in full force and effect on the date of this certificate; and I do further certify that the Vice-President who executed the said Power of Attorney was one of the additional Vice-Presidents specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

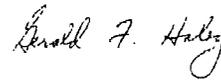
This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 10th day of May, 1990.

RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company,

NOV 16 2011

this _____ day of _____, _____.



Assistant Secretary

FIDELITY AND DEPOSIT COMPANY

OF MARYLAND

600 Red Brook Blvd., Suite 600, Owings Mills, MD 21117

Statement of Financial Condition

As Of December 31, 2010

ASSETS

Bonds	\$ 167,717,443
Stocks	23,571,636
Cash and Short Term Investments	250,663
Reinsurance Recoverable	478,827
Other Accounts Receivable	44,516,527
TOTAL ADMITTED ASSETS	\$ 236,535,096

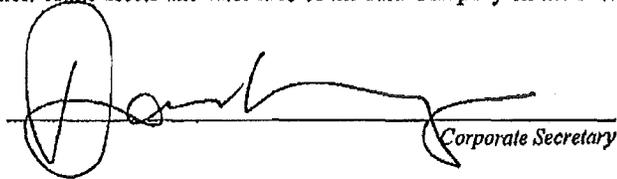
LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 225,295
Ceded Reinsurance Premiums Payable	39,963,782
Securities Lending Collateral Liability	3,077,700
TOTAL LIABILITIES	\$ 43,266,777
Capital Stock, Paid Up	\$ 5,000,000
Surplus	188,268,319
Surplus as regards Policyholders	193,268,319
TOTAL	\$ 236,535,096

Securities carried at \$45,648,865 in the above statement are deposited as required by law.

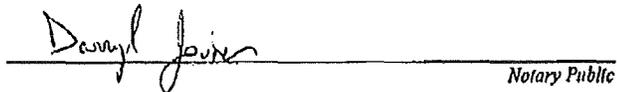
Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2010 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$245,239,534 and surplus as regards policyholders \$201,972,757.

I, DENNIS F. KERRIGAN, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2010.


Corporate Secretary

State of Illinois }
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 31st day of March, 2011.


Notary Public



ZURICH AMERICAN INSURANCE COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the ZURICH AMERICAN INSURANCE COMPANY, a corporation created by and existing under the laws of the State of New York does hereby nominate, constitute and appoint James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Matthew KELLY and Annette LEUSCHNER, all of Jericho, New York, EACH its true and lawful Attorneys-In-Fact with power and authority hereby conferred to sign, seal, and execute in its behalf, during the period beginning with the date of issuance of this power, : any and all bonds and undertakings, recognizances or other written obligations in the nature thereof, and to bind ZURICH AMERICAN INSURANCE COMPANY thereby, and all of the acts of said Attorney[s]-in-Fact pursuant to these presents are hereby ratified and confirmed. This Power of Attorney is made and executed pursuant to and by the authority of the following By-Law duly adopted by the Board of Directors of the Company which By-Law has not been amended or rescinded.

Article VI, Section 5. "...The President or a Vice President in a written instrument attested by a Secretary or an Assistant Secretary may appoint any person Attorney-In-Fact with authority to execute such bonds on behalf of the Company and other formal underwriting contracts in reference thereto and reinsurance agreements relating to individual policies and bonds of all kinds and attach the corporate seal. Any such officers may revoke the powers granted to any Attorney-In-Fact."

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the ZURICH AMERICAN INSURANCE COMPANY by unanimous consent in lieu of a special meeting dated December 15, 1998

" RESOLVED, that the signature of the President or a Vice President and the attesting signature of a Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile on any Power of Attorney pursuant to Article VI, Section 5 of the By-Laws, and the signature of a Secretary or an Assistant Secretary and the seal of the Company may be affixed by facsimile to any certificate of any such power. Any such power or any certificate thereof with such facsimile signature and seal shall be valid and binding on the Company. Furthermore, such power so executed, sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding on the Company."

IN WITNESS WHEREOF, the ZURICH AMERICAN INSURANCE COMPANY has caused these presents to be executed in its name and on its behalf and its Corporate Seal to be hereunto affixed and attested by its officers thereunto duly authorized, this 6th day of April, A.D. 2011. This power of attorney revokes that issued on behalf of James E. MARRAN, JR, Daryl LAFORGE, David W. ROSEHILL, Vincent A. WALSH, Nancy SCHNEE, Theresa J. FOLEY, Andrea E. GORBERT, Annette LEUSCHNER, dated March 3, 2011.



ZURICH AMERICAN INSURANCE COMPANY

Gerald F. Haley

Frank E. Martin Jr.

STATE OF MARYLAND }
CITY OF BALTIMORE }

ss: *Gerald F. Haley*

Secretary

By:

Frank E. Martin Jr.

Vice President

On the 6th day of April, A.D. 2011, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came the above named Vice President and Secretary of ZURICH AMERICAN INSURANCE COMPANY, to me personally known to be the individuals and officers described in and who executed the preceding instrument and they each acknowledged the execution of the same and being by me duly sworn, they severally and each for himself deposed and said that they respectively hold the offices in said Corporation as indicated, that the Seal affixed to the preceding instrument is the Corporate Seal of said Corporation, and that the said Corporate Seal, and their respective signature as such officers, were duly affixed and subscribed to the said instrument pursuant to all due corporate authorization.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above.



Constancia A. Duman

Notary Public

My Commission Expires: July 14, 2011

This Power of Attorney limits the acts of those named therein to the bonds and undertaking specifically named therein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

CERTIFICATE

I, the undersigned, a Secretary of the ZURICH AMERICAN INSURANCE COMPANY, do hereby certify that the foregoing Power of Attorney is still in full force and effect, and further certify that Article VI, Section 5 of the By-Laws of the Company and the Resolution of the Board of Directors set forth in said Power of Attorney are still in force.

IN TESTIMONY WHEREOF I have hereto subscribed my name and affixed the seal of said Company

Gregory E. Murray

Gregory E. Murray

Secretary



the _____ day of **NOV 16 2011**

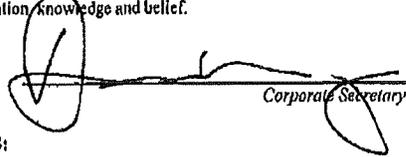
ZURICH AMERICAN INSURANCE COMPANY
COMPARATIVE BALANCE SHEET
ONE LIBERTY PLAZA, 165 BROADWAY, 32nd FLOOR, NEW YORK, NY 10006
As of December 31, 2010 and December 31, 2009

	12/31/2010	12/31/2009
<u>Assets</u>		
Bonds	\$ 18,919,367,229	\$ 18,856,255,156
Preferred Stock	881,155	983,952
Common Stock	2,164,868,224	2,414,799,006
Real Estate	-	-
Other Invested Assets	2,064,283,585	1,955,583,185
Short-term Investments	201,721,691	442,083,498
Receivable for securities	-	924,864
Cash and cash equivalents	295,413,702	81,175,295
Securities lending reinvested collateral assets	355,288,472	-
Employee Trust for Deferred Compensation Plan	123,641,790	115,265,399
Total Cash and Invested Assets	\$ 24,125,465,848	\$ 23,867,070,354
Premiums Receivable	\$ 3,435,875,097	\$ 3,789,891,423
Funds Held with Reinsurers	62,508,828	17,543,464
Reinsurance Recoverable	217,412,379	334,417,233
Accrued Investment Income	155,412,983	153,168,265
Federal Income Tax Recoverable	864,441,400	938,076,547
Due from Affiliates	84,104,105	270,234,627
Other Assets	475,167,605	565,343,140
Total Assets	\$ 29,420,388,445	\$ 29,935,745,054
<u>Liabilities and Policyholders' Surplus</u>		
Liabilities:		
Loss and L&E Reserves	\$ 14,303,526,826	\$ 14,457,673,205
Unearned Premium Reserve	4,266,385,678	4,286,806,531
Funds Held with Reinsurers	220,452,519	249,802,186
Loss In Course of Payment	326,096,480	416,324,234
Commission Reserve	129,070,777	154,104,769
Federal Income Tax Payable	53,201,046	24,130,322
Remittances and Items Unallocated	47,400,078	152,534,594
Payable to parent, subs and affiliates	130,008,907	304,648,750
Provision for Reinsurance	64,548,922	74,859,513
Ceded Reinsurance Premiums Payable	138,866,405	62,782,469
Securities Lending Collateral Liability	356,743,459	328,068,754
Other Liabilities	2,009,922,767	2,006,859,109
Total Liabilities	\$ 22,046,223,864	\$ 22,518,394,436
Policyholders' Surplus:		
Common Capital Stock	\$ 5,000,000	\$ 5,000,000
Paid-In and Contributed Surplus	4,394,131,321	4,394,131,321
Surplus Notes	1,533,000,000	1,883,000,000
Special Surplus Retroactive Reinsurance	96,392,000	101,720,000
Change in Net Deferred Tax Asset	321,550,097	348,814,703
Cumulative Unrealized Gain	132,277,573	(74,742,079)
Dividends Undeclared	-	-
Loss Portfolio Transfer Account	-	-
Unassigned Surplus	891,813,391	759,226,673
Total Policyholders' Surplus	\$ 7,374,164,581	\$ 7,417,150,618
Total Liabilities and Policyholders' Surplus	\$ 29,420,388,445	\$ 29,935,745,054

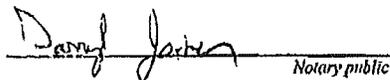
I, Dennis F. Kerrigan, Corporate Secretary of ZURICH AMERICAN INSURANCE COMPANY do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company, on the 31st day of December, 2010, according to the best of my information, knowledge and belief.

State of Illinois
 County of Cook

} SS:


 Corporate Secretary

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 31st day of March, 2011.


 Notary public





**Chubb
Surety**

**POWER
OF
ATTORNEY**

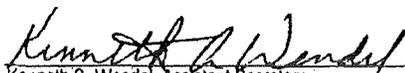
**Federal Insurance Company
Vigilant Insurance Company
Pacific Indemnity Company**

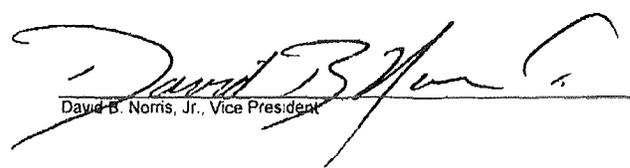
**Attn: Surety Department
15 Mountain View Road
Warren, NJ 07059**

Know All by These Presents. That **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, and **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, do each hereby constitute and appoint **Andrea E. Gorbett, Matthew Kelly, Annette Leuschner, William A. Marino, James E. Marran, Jr., David W. Rosehill and Nancy Schnee of Jericho, New York**-----

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** have each executed and attested these presents and affixed their corporate seals on this **8th** day of **July, 2011**.


Kenneth C. Wendel, Assistant Secretary


David B. Norris, Jr., Vice President

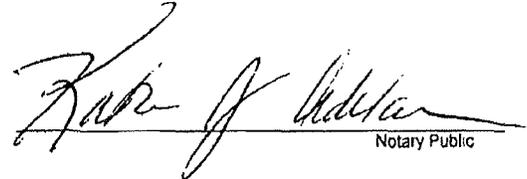
STATE OF NEW JERSEY
County of Somerset ss.

On this **8th** day of **July, 2011** before me, a Notary Public of New Jersey, personally came Kenneth C. Wendel, to me known to be Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY**, the companies which executed the foregoing Power of Attorney and the said Kenneth C. Wendel, being by me duly sworn, did depose and say that he is Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** and knows the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of the By-Laws of said Companies, and that he signed said Power of Attorney as Assistant Secretary of said Companies by like authority; and that he is acquainted with David B. Norris, Jr., and knows him to be Vice President of said Companies, and that the signature of David B. Norris, Jr., subscribed to said Power of Attorney is in the genuine handwriting of David B. Norris, Jr., and was thereto subscribed by authority of said By-Laws and in deponent's presence.

Notarial Seal



**KATHERINE J. ADELAAR
NOTARY PUBLIC OF NEW JERSEY
No. 2316685
Commission Expires July 16, 2014**


Notary Public

CERTIFICATION

Extract from the By-Laws of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY**:

'All powers of attorney for and on behalf of the Company may and shall be executed in the name and on behalf of the Company, either by the Chairman or the President or a Vice President or an Assistant Vice President, jointly with the Secretary or an Assistant Secretary, under their respective designations. The signature of such officers may be engraved, printed or lithographed. The signature of each of the following officers, Chairman, President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.'

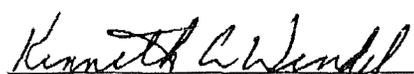
I, Kenneth C. Wendel, Assistant Secretary of **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY** (the "Companies") do hereby certify that

- (i) the foregoing extract of the By-Laws of the Companies is true and correct,
- (ii) the Companies are duly licensed and authorized to transact surety business in all 50 of the United States of America and the District of Columbia and are authorized by the U.S. Treasury Department; further, Federal and Vigilant are licensed in Puerto Rico and the U.S. Virgin Islands, and Federal is licensed in American Samoa, Guam, and each of the Provinces of Canada except Prince Edward Island, and
- (iii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Warren NJ this _____ day of

NOV 16 2011




Kenneth C. Wendel, Assistant Secretary

IN THE EVENT YOU WISH TO NOTIFY US OF A CLAIM, VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT ADDRESS LISTED ABOVE, OR BY Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

FEDERAL INSURANCE COMPANY

STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

DECEMBER 31, 2010

(in thousands of dollars)

<u>ASSETS</u>	<u>LIABILITIES AND SURPLUS TO POLICYHOLDERS</u>
Cash and Short Term Investments..... \$ 235,579	Outstanding Losses and Loss Expenses \$ 12,051,257
United States Government, State and Municipal Bonds..... 10,931,173	Unearned Premiums..... 3,331,654
Other Bonds..... 4,110,731	Ceded Reinsurance Premiums Payable..... 329,476
Stocks..... 837,803	Provision for Reinsurance..... 70,491
Other Invested Assets..... 1,909,914	Other Liabilities..... 962,493
TOTAL INVESTMENTS..... 18,025,200	TOTAL LIABILITIES..... 16,745,371
Investments in Affiliates:	Special Surplus Funds..... 174,400
Chubb Investment Holdings, Inc..... 3,002,346	Capital Stock..... 20,980
Pacific Indemnity Company..... 2,424,142	Paid-In Surplus..... 3,106,808
Chubb Insurance Investment Holdings Ltd. ... 1,275,789	Unassigned Funds..... 11,015,075
Executive Risk Indemnity Inc..... 1,111,774	
CC Canada Holdings Ltd..... 752,455	SURPLUS TO POLICYHOLDERS..... 14,317,263
Great Northern Insurance Company..... 459,252	
Chubb Insurance Company of Australia Limited 313,107	TOTAL LIABILITIES AND SURPLUS
Chubb European Investment Holdings SLP... 234,636	TO POLICYHOLDERS..... \$ 31,062,634
Vigilant Insurance Company..... 212,646	
Other Affiliates..... 381,791	
Premiums Receivable..... 1,441,826	
Other Assets..... 1,427,670	
TOTAL ADMITTED ASSETS..... \$ 31,062,634	

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners.
Investments with a carrying value of \$452,427,638 are deposited with government authorities as required by law.

State, County & City of New York, — ss:

Yvonne Baker, Assistant Secretary _____ of the Federal Insurance Company

being duly sworn, deposes and says that the foregoing Statement of Assets, Liabilities and Surplus to Policyholders of said Federal Insurance Company on December 31, 2010 is true and correct and is a true abstract of the Annual Statement of said Company as filed with the Secretary of the Treasury of the United States for the 12 months ending December 31, 2010.

Subscribed and sworn to before me
this

NOV 16 2011

Dorothy Baker

Notary Public

DOROTHY M. BAKER
Notary Public, State of New York
No. 31-4904994
Qualified in New York County
Commission Expires Sept. 14, 2013

Yvonne Baker

Assistant Secretary

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

LIBERTY MUTUAL INSURANCE COMPANY
BOSTON, MASSACHUSETTS
POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS: That Liberty Mutual Insurance Company (the "Company"), a Massachusetts stock insurance company, pursuant to and by authority of the By-law and Authorization hereinafter set forth, does hereby name, constitute and appoint WILLIAM A. MARINO, DAVID W. ROSEHILL, NANCY SCHNEE, THERESA J. FOLEY, JAMES E. MARRAN, JR., ANDREA E. GORBERT, ANNETTE LEUSCHNER, JOHN P. HYLAND, MATTHEW KELLY, ALL OF THE CITY OF JERICHO, STATE OF NEW YORK

, each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations in the penal sum not exceeding FIVE HUNDRED MILLION AND 00/100 DOLLARS (\$ 500,000,000.00) each, and the execution of such undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company in their own proper persons.

That this power is made and executed pursuant to and by authority of the following By-law and Authorization:

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

By the following instrument the chairman or the president has authorized the officer or other official named therein to appoint attorneys-in-fact:

Pursuant to Article XIII, Section 5 of the By-Laws, Garnet W. Elliott, Assistant Secretary of Liberty Mutual Insurance Company, is hereby authorized to appoint such attorneys-in-fact as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

That the By-law and the Authorization set forth above are true copies thereof and are now in full force and effect.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Company and the corporate seal of Liberty Mutual Insurance Company has been affixed thereto in Plymouth Meeting, Pennsylvania this 20th day of April, 2011.

LIBERTY MUTUAL INSURANCE COMPANY

By Garnet W. Elliott, Assistant Secretary



COMMONWEALTH OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 20th day of April, 2011, before me, a Notary Public, personally came Garnet W. Elliott, to me known, and acknowledged that he is an Assistant Secretary of Liberty Mutual Insurance Company; that he knows the seal of said corporation; and that he executed the above Power of Attorney and affixed the corporate seal of Liberty Mutual Insurance Company thereto with the authority and at the direction of said corporation.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2013
Number: Pennsylvania Association of Notaries

By Teresa Pastella, Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy, is in full force and effect on the date of this certificate; and I do further certify that the officer or official who executed the said power of attorney is an Assistant Secretary specially authorized by the chairman or the president to appoint attorneys-in-fact as provided in Article XIII, Section 5 of the By-laws of Liberty Mutual Insurance Company.

This certificate and the above power of attorney may be signed by facsimile or mechanically reproduced signatures under and by authority of the following vote of the board of directors of Liberty Mutual Insurance Company at a meeting duly called and held on the 12th day of March, 1980.

VOTED that the facsimile or mechanically reproduced signature of any assistant secretary of the company, wherever appearing upon a certified copy of any power of attorney issued by the company in connection with surety bonds, shall be valid and binding upon the company with the same force and effect as though manually affixed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said company, this NOV 16 2011 day of



By David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, bank deposit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
 FINANCIAL STATEMENT — DECEMBER 31, 2010

Assets		Liabilities	
Cash and Bank Deposits	\$ 795,278,733	Unearned Premiums	\$3,502,531,059
*Bonds — U.S Government	928,976,332	Reserve for Claims and Claims Expense.....	15,450,806,243
*Other Bonds.....	12,269,586,768	Funds Held Under Reinsurance Treaties.....	1,764,193,716
*Stocks.....	8,410,330,089	Reserve for Dividends to Policyholders	4,776,435
Real Estate	280,897,925	Additional Statutory Reserve	89,441,297
Agents' Balances or Uncollected Premiums.....	2,971,477,549	Reserve for Commissions, Taxes and	
Accrued Interest and Rents	156,129,412	Other Liabilities	2,126,508,564
Other Admitted Assets	<u>10,888,871,535</u>	Total.....	<u>\$22,938,257,314</u>
		Special Surplus Funds.....	\$1,218,426,655
		Capital Stock.....	10,000,000
		Paid in Surplus	7,731,965,815
		Unassigned Surplus.....	4,802,898,559
Total Admitted Assets.....	<u>\$36,701,548,343</u>	Surplus to Policyholders	<u>13,763,291,029</u>
		Total Liabilities and Surplus	<u>\$36,701,548,343</u>



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
 The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2010, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 29th day of March, 2011.

TAMikolajewski

Assistant Secretary

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

Annette Leuschner, William A Marino, James E Marran Jr, David W Rosehill, Nancy Schnee, Theresa J Foley, Daryl La Forge, Andrea E Gorbart, Matthew J Kelly, Individually

of Jericho, NY, its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Senior Vice President and its corporate seal to be hereto affixed on this 7th day of April, 2011.



The Continental Insurance Company

[Signature]
Stathy Darcy Senior Vice President

State of Illinois, County of Cook, ss:

On this 7th day of April, 2011, before me personally came Stathy Darcy to me known, who, being by me duly sworn, did depose and say: that she resides in the City of Glenview, State of Illinois; that she is a Senior Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that she knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.



My Commission Expires September 17, 2013

[Signature]
Eliza Price Notary Public

CERTIFICATE

I, Mary A. Ribikawskis, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this _____ day of NOV 16 2011.



The Continental Insurance Company

[Signature]
Mary A. Ribikawskis Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the company.

“Article VI-Execution of Documents

Section 3. Appointment of Attorney-in-Fact. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Company in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Company by their signature and execution of any such instruments and to attach the seal of the Company thereto. The Chairman of the Board of Directors, the President or any Executive or Senior Vice President or the Board of Directors, may, at any time, revoke all power and authority previously given to any attorney-in-fact.

This Power of Attorney is granted and is signed by facsimile under and by the authority of the following Resolution adopted by the Executive Committee of the Board of Directors of The Continental Insurance Company by unanimous written consent dated the 13th day of January, 1989:

RESOLVED, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed and in the future with respect to any bond, undertaking or contract of suretyship to which it is attached.”

THE CONTINENTAL INSURANCE COMPANY
Reading, Pennsylvania
Statement of Net Admitted Assets and Liabilities
December 31, 2010

ASSETS

Bonds	\$ 1,617,690,034
Stocks	262,563,920
Cash and short-term investments	346,571,595
Uncollected premiums and agents' balances	106,243,722
Amounts recoverable from reinsurers	56,821,207
Funds held by or deposited with reinsured companies	96,751,460
Net deferred tax asset	56,839,043
Electronic data processing equipment and software	0
Investment income due and accrued	21,966,477
Other assets	92,764,149
Total Assets	<u>\$ 2,658,211,607</u>

LIABILITIES AND SURPLUS

Losses	\$ 813,371,026
Loss adjustment expense	34,966,462
Contingent and other commissions payable	20,026,813
Other expense	10,244,729
Taxes, licenses and fees	53,373,478
Federal and foreign income taxes payable	0
Unearned premiums	0
Retroactive reinsurance reserve assumed	0
Other liabilities	579,712,559
Total Liabilities	<u>1,511,695,067</u>

Surplus Account:

Capital paid up	96,666,681	
Gross paid in and contributed surplus	1,423,436,994	
Unassigned funds	<u>(373,587,135)</u>	
Surplus as regards policyholders		<u>\$ 1,146,516,540</u>
Total Liabilities and Capital		<u>\$ 2,658,211,607</u>

State of Illinois)
) ss
County of Cook)

I, Amy M. Smith, Assistant Vice President of The Continental Insurance Company hereby certify that the above is an exact copy of the financial statement of the Company dated December 31, 2010, as filed with the various Insurance Departments and is a true and correct statement of the condition of The Continental Insurance Company as of that date.



The Continental Insurance Company
By Amy M. Smith
Assistant Vice President

Subscribed and sworn to me this 30th day of March, 2011.

My commission expires:
Winnie Lin
My Commission Expires 02-28-2013

[Signature]
Notary Public

Massoth, Craig

From: Timothy J. Davidow [timothy.davidow@zurichna.com]
Sent: Wednesday, November 30, 2011 9:12 AM
To: Massoth, Craig
Subject: Re: FW: Skanska Koch PPB - Second Request
Attachments: Skanska Koch PmtBond WTC-264625.pdf; Skanska Koch PerfBond WTC-264625.pdf

Craig:

This bond is authentic

Timothy Davidow
Sr. Account Executive
Surety Credit & Political Risk

P (973) 394 5119
C (973) 650 6685
F (973) 394 5171

"Massoth, Craig"
<cmassoth@panynj.gov>

11/30/2011 08:24
AM

<timothy.davidow@zurichna.com>

To

cc

Subject

FW: Skanska Koch PPB - Second
Request

Massoth, Craig

From: kadelaar@chubb.com
Sent: Wednesday, November 23, 2011 2:28 PM
To: Massoth, Craig
Subject: Fw: Skanska Koch PPB

Craig, good afternoon:

FEDERAL INSURANCE COMPANY verifies the following:

CONTRACTOR Skanska Koch, Inc

CONTRACT NO. WTC-264.625

AMOUNT OF BOND \$10,155,000.00

BOND NUMBER 82139771

Please advise should you require any additional information.

Regards,

Kate

Kate Adelaar - Chubb & Son, a division of Federal Insurance Company - Surety Services Supervisor
15 Mountain View Road - 3MV 1-25, Warren, NJ 07059
Office: 908.903.4538 - Fax: 908.903.5400 - kadelaar@chubb.com

cmassoth@panynj.gov

Massoth, Craig

From: Dipasquale, James [James.Dipasquale@LibertyMutual.com]
Sent: Monday, November 28, 2011 10:09 AM
To: Massoth, Craig
Subject: FW: Skanska PPB
Attachments: Skanska Koch PmtBond WTC-264625.pdf; Skanska Koch PerfBond WTC-264625.pdf

Importance: High

Craig, the Performance and Payment bonds issued for Skanska Koch, Inc. for WTC-264625 are valid.
If you need anything further please let me know.

*James A. DiPasquale
Liberty Mutual Surety
114 West 47th Street, 21st Floor
New York, New York 10036
Phone: 212-719-7742
Fax: 866-548-7565
email: james.dipasquale@libertymutual.com*

From: Macdonald, Thomas
Sent: Wednesday, November 23, 2011 2:15 PM
To: Dipasquale, James
Subject: FW: Skanska PPB
Importance: High

Here you go Jim.

From: Massoth, Craig [mailto:cmassoth@panynj.gov]
Sent: Wednesday, November 23, 2011 2:07 PM
To: Macdonald, Thomas
Subject: Skanska PPB
Importance: High

<<Skanska Koch PmtBond WTC-264625.pdf>> <<Skanska Koch PerfBond WTC-264625.pdf>>

Please verify that this Performance Bond and Payment Bond are authentic:

Massoth, Craig

From: Fullerton, Jon E. [Jon.Fullerton@cnaSurety.com]
Sent: Monday, November 28, 2011 10:47 AM
To: Massoth, Craig
Subject: RE: Skanska Koch PPB

Mr. Massoth:

Please allow this email to confirm that the performance and payment bond numbers 929527136 issued by The Continental Insurance Company, as one of the co-sureties listed on the bonds, in favor of the Port Authority of New York and New Jersey in the amount of \$10,155,000 is authentic. This was issued for Contract WTC-264.625 "North-South Concourse Architectural Steel" on behalf of Skanska Koch Inc.

Please let me know if any additional information is required.

Regards,

Jon E. Fullerton
Director and Branch Manager
CNA Surety
40 Wall Street, 10th Floor
New York, NY 10005-2301
212-440-7356
fax 212-440-7351
jon.fullerton@cnaSurety.com
www.cna.com

From: Massoth, Craig [mailto:cmassoth@panynj.gov]
Sent: Wednesday, November 23, 2011 1:22 PM
To: Fullerton, Jon E.
Subject: FW: Skanska Koch PPB
Importance: High

Sorry the amount of the bond is \$10,155,000.