



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

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LINDA RUTHARDT
 COMMISSIONER OF INSURANCE

**NOTICE OF PUBLIC HEARING REGARDING THE PROPOSED
 MERGER OF BERKSHIRE LIFE INSURANCE COMPANY
 WITH
 THE GUARDIAN LIFE INSURANCE COMPANY OF AMERICA**

The Division of Insurance (the "Division") will hold a public hearing (the "Hearing") at 9:30 A.M. at Council Chambers, Pittsfield City Hall, 70 Allen Street, Pittsfield, MA 01201, on June 1, 2001, regarding the proposed merger of Berkshire Life Insurance Company ("Berkshire"), a Massachusetts mutual insurance company, with and into The Guardian Life Insurance Company of America ("Guardian"), a New York mutual insurance company, pursuant to Massachusetts General Laws chapter 175, section 19B and 211CMR 140.00 et seq.

At the Hearing, interested persons may present data, views, arguments, or comments regarding the proposed merger.

The Plan of Merger (the "Plan") has been mailed to all of the policyholders of Berkshire. A copy of the Plan may be examined before the Hearing by any policyholder, director, officer or employee of Berkshire at the offices of Berkshire located at 700 South Street, Pittsfield, Massachusetts, during normal business hours. A copy of the Plan may also be examined by any policyholder, director, officer, or employee of Guardian at the offices of Guardian located at 7 Hanover Square, New York, New York, during normal business hours.

The docket of the Hearing, which includes the above-referenced materials and other information, is available for inspection by the public at the offices of the Division, One South Station, Boston Massachusetts 02110, during regular business hours.

Any person wishing to submit a written statement concerning the proposed merger may do so by mailing or delivering a copy of the statement to the attention of Docket Clerk, Massachusetts Division of Insurance, One South Station, Boston, Massachusetts 02110-2208, so that it is received no later than May 30, 2001.

Any person who wishes to testify must file a Notice of Intent to Testify with the Division on or before May 30, 2001. All other parties who wish to testify will be heard subsequent to those who notify the Division in advance. Persons wishing to submit written comments may do so until the record of the Hearing is closed. All submissions must be sent to: Docket Clerk, Massachusetts Division of Insurance, One South Station, Boston, Massachusetts, 02110-2208, and must refer to Docket # F2001-01B.

Policyholders do not need to appear at the Hearing or submit written statements to the Presiding Officers in order to continue their policies.

The Hearing will be held as follows:

Location: Council Chambers
 Pittsfield City Hall
 70 Allen Street
 Pittsfield, MA 01201
 Date: June 1, 2001
 Time: 9:30 A.M.

Michael Caljouw
 Presiding Officer

Richard A. Cody
 Presiding Officer

Dated: April 3, 2001