

DEC 30 2004

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY Kath

In the Matter of:)
)
UNUM LIFE INSURANCE COMPANY OF AMERICA)
(NAIC No. 62235))
)
Respondent.)
_____)

Docket No. 04A-213-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received information regarding alleged claims of "unfair claim settlement practices" by Respondent Unum Life Insurance Company of America for both individual disability income ("IDI") and group long term disability ("LTD") policies. Unum Life Insurance Company of America wishes to resolve this matter without the commencement of formal administrative proceedings and neither admits nor denies the following Findings of Fact and Conclusions of Law and consents to the entry of this Order.

FINDINGS OF FACT

1. Respondent Unum Life Insurance Company of America ("Unum") currently holds, and has held since 1973, a certificate of authority to transact business as a life and disability insurer in the State of Arizona (NAIC No. 62235). Unum is domiciled in Maine.

2. On September 2, 2003, the Superintendent of the State of Maine Bureau of Insurance, along with the Commissioner of the Massachusetts Division of Insurance and the Commissioner of the Tennessee Department of Commerce and Insurance (the "Lead Regulators,") called a multistate targeted market conduct examination of the following companies: Respondent Unum; The Paul Revere Life Insurance Company ("Revere"), a Massachusetts domiciled insurer; and Provident Life and Accident Insurance Company

1 ("Provident"), a Tennessee domiciled insurer. The other forty-seven states, the District of
2 Columbia and American Samoa chose to be "Participating States" in the Multistate
3 Examination.

4 3. On or about November 18, 2004, Unum entered a Regulatory Settlement
5 Agreement ("the Agreement") with the Lead Regulators and the Agreement was presented to
6 the Director of Insurance for the State of Arizona ("Director"). The Agreement is attached
7 hereto as Exhibit A and incorporated herein by this reference. The Report of the Targeted
8 Multistate Market Conduct Examination is on file and available for review at the Arizona
9 Department of Insurance.

10 CONCLUSIONS OF LAW

- 11 1. The Director has jurisdiction over this matter.
- 12 2. Grounds exist for the entry of the following Order pursuant to A.R.S. §§20-220
13 and 20-461.

14 ORDER

15 IT IS ORDERED that Respondent Unum Life Insurance Company of America shall
16 comply with all terms and conditions of the Regulatory Settlement Agreement as incorporated
17 herein.

18 DATED AND EFFECTIVE this 29th day of December 2004.

19
20 
21 _____
22 CHRISTINA URIAS
23 Director of Insurance

1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and
3 Order.

4 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona and
5 admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions
6 of Law and Order.

7 3. Respondent is aware of its rights to notice and a hearing at which it may be
8 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
9 waives its rights to such notice and hearing and to any court appeals relating to this Consent
10 Order.

11 4. Respondent states that no promise of any kind or nature whatsoever, except as
12 expressly contained in this Consent Order, was made to it to induce it to enter into this Consent
13 Order and that it has entered into this Consent Order voluntarily.

14 UNUM LIFE INSURANCE COMPANY OF AMERICA

15
16 12/22/04
DATE

By 
Chief Executive Officer

17
18
19 COPY of the foregoing mailed/delivered
this 30th day of Dec., 2004 to:

20 J. David Leslie
21 Rackemann, Sawyer & Brewster
22 One Financial Center
Boston, MA 02111
Special Counsel

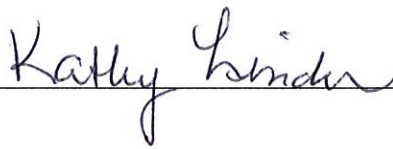
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