DEPARTMENT OF INSURANCE

STATE OF ARIZONA

STATE OF ARIZONA FILED

FEB 16 2007

DEPT OF INSURANCE BY PAD

In the Matter of the	Docket No. 07A-028-INS
Surrender of the Certificate	
of Authority of	ORDER
The Fidelity and Casualty Company of	
New York	
(NAIC No. 35270),	
Petitioner.	

Based upon reliable evidence provided to the Director of Insurance by the Assistant Director of the Financial Affairs Division of the Department of Insurance, the Director finds as follows:

- 1. Petitioner, The Fidelity and Casualty Company of New York, NAIC No. 35270, is a foreign insurer domiciled in Pennsylvania. Petitioner received its certificate of authority to transact property and casualty insurance in Arizona on April 21, 1899.
- 2. Effective December 31, 2006, Petitioner, the non-surviving entity, merged into The Continental Insurance Company (CIC), NAIC No. 35289, the surviving entity, a foreign insurer domiciled in Pennsylvania. The surviving entity is authorized to transact insurance in Arizona. Petitioner has voluntarily surrendered its certificate of authority to Director.

- 3. On November 7, 2006, the Insurance Commissioner of Pennsylvania approved the merger of Petitioner into CIC.
- 4. Petitioner has no obligations under any policy of insurance to any policyholders or claimants who are residents of Arizona.
- 5. Petitioner is not the subject of any pending investigation or market conduct examination, and Petitioner does not owe this Department any filings or fees.
- 6. The Department holds a Workers' Compensation deposit in the amount of \$150,000 on behalf of the Petitioner.
- 7. Petitioner has deposited \$100.00 which has been credited to the Insurance Examiners' Revolving Fund ("IERF") pursuant to A.R.S. § 20-159.

IT IS ORDERED that:

- 1. The surrender of the Petitioner's certificate of authority is accepted.
- 2. The Workers' Compensation deposit of the Petitioner in the amount of \$150,000 shall be transferred to an account in the name of CIC with the Department, and shall be held as a Workers' Compensation deposit of CIC.
- 3. The \$100.00 deposited by Petitioner which has been credited to the IERF shall be released to Petitioner.

Effective this 15 day of February, 2007.

CHRISTINA URIAS Director Of Insurance

1	COPY of the foregoing mailed/delivered this /// day of Fibruar y , 2007, to:
3	Gerrie Marks, Deputy Director Mary Butterfield, Assistant Director
4	Catherine O'Neil, Consumer Legal Affairs Officer Steven Ferguson, Assistant Director
5	Leslie R. Hess, Financial Affairs Legal Analyst Ed Caldwell, Chief Financial Analyst – Foreign and Alternative Markets
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