

APR 26 2007

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
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In the Matter of the) Docket No. 07A-077-INS
Withdrawal of) ORDER
Livingston Life Insurance Company)
(Company Code No. 5563),)
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:

FINDINGS OF FACT

1. Petitioner is currently licensed in the State of Arizona as an Unaffiliated Credit Life and Disability Reinsurer.
2. Petitioner has surrendered its Arizona Certificate of Authority with the Arizona Department of Insurance.
3. Petitioner has filed with the Department certified copies of Resolutions of the Petitioner's Board of Directors and the Petitioner's shareholder(s) authorizing Petitioner to withdraw from the insurance business by dissolution.
4. Petitioner has no insurance obligations owing to it, whether by policies written direct or by reinsurance ceded to it.
5. Petitioner has filed its certified financial statement as of February 28, 2007, with the Department.

1 6. Petitioner has a \$100,000 statutory deposit with the Department and a
2 \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").

3 **CONCLUSIONS OF LAW**

4 1. Petitioner has complied with the provisions of A.R.S. § 20-588 and with A.A.C.
5 R20-6-303, relating to the release of its \$100,000 statutory deposit.

6 2. Pursuant to A.R.S. § 20-1083(D), a hearing on withdrawal from this State by
7 an unaffiliated credit life and disability reinsurer is not required.

8 **ORDER**

9 1. Petitioner may file its Articles of Dissolution with the Arizona Corporation
10 Commission.

11 2. Petitioner is entitled to the release of its statutory deposit in the sum of
12 \$100,000. Petitioner's statutory deposit shall be released to the Petitioner after the
13 Department receives the following: (a) a copy of Petitioner's Articles of Dissolution
14 certified as having been filed with the Arizona Corporation Commission; (b) a fully
15 executed Form E126CD (Request for Release of Certificate of Deposit) and a fully
16 executed copy of the official State Treasurer Release Receipt Form E101; (c) payment
17 of any outstanding invoices owing to the IERF; (d) a payment of \$348.75 to the Director
18 of Insurance for the January 1992 Computer Fund Assessment, and (e) the filing of the
19 Petitioner's 2006 Annual Statement, together with payment of all applicable fees. The
20 Director has no personal liability for the release of such deposit so made by her in good
21 faith as provided in A.R.S. §20-588(B).

22 3. The sum of \$100.00 previously credited to the IERF shall be refunded to the
23 Petitioner, pursuant to A.R.S. § 20-159.

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1 4. Petitioner shall file its 2007 Annual Statement including applicable fees with
2 the Department unless Petitioner files its Articles of Dissolution with the Arizona
3 Corporation Commission on or before December 31, 2007.

4 5. Petitioner shall pay its certificate of authority renewal fee to the Department
5 unless Petitioner files its Articles of Dissolution with the Arizona Corporation
6 Commission on or before August 1, 2007.

7 EFFECTIVE this 24th day of April, 2007.

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11 CHRISTINA URIAS
12 Director Of Insurance

13 COPY of the foregoing mailed/delivered
14 this 26th day of April, 2007, to:

15 Gerrie Marks, Deputy Director
16 Mary Butterfield, Assistant Director
17 Catherine O'Neil, Consumer Legal Affairs Officer
18 Steven Ferguson, Assistant Director
19 Leslie R. Hess, Financial Affairs Legal Analyst
20 Kurt Regner, Chief Financial Analyst
21 Department of Insurance
22 2910 North 44th Street, Suite 210
23 Phoenix, Arizona 85018

24 Thomas E. Haney
25 Law Office
101 North First Avenue, Suite 2460
Phoenix, AZ 85003

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