

FEB 20 2008

DEPT OF INSURANCE
BY CL

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:

**THE RELEASE OF STATUTORY
DEPOSIT OF:**

**RED SHIELD SURPLUS INSURANCE
COMPANY (NAIC NO. 11667)**

Petitioner.

**No. 08A-006-INS
ORDER**

On February 6, 2008, the Office of Administrative Hearings, through Administrative Law Judge ("ALJ") Diane Mihalsky, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on February 11, 2008, a copy of which is attached and incorporated by this reference. The Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

1. The Recommended Findings of Fact and Conclusions of Law are adopted.
2. Petitioner is entitled to the release of its statutory deposit in the sum of \$560,809.00 and Petitioner's statutory deposit shall be released to Petitioner.
3. The sum of \$100.00 previously credited to the Arizona IERF shall be refunded to Petitioner, pursuant to A.R.S. § 20-159.

The Director of the Department has no personal liability for the release of such deposit so made by her in good faith as provided for in A.R.S. § 20-588(B).

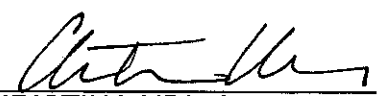
NOTIFICATION OF RIGHTS

Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Petitioner may request a rehearing with respect to this order by filling a written motion with the Director of the Department of Insurance within 30 days of the date of this Order, setting forth the basis

1 for relief under A.A.C. R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary
2 to request a rehearing before filing an appeal to Superior Court.

3 Petitioner may appeal the final decision of the Director to the Superior Court of
4 Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal
5 must notify the Office of Administrative Hearings of the appeal within ten days after filing
6 the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

7 DATED this 15th day of February, 2008.

8
9 
10 CHRISTINA URIAS, Director
11 Arizona Department of Insurance

12 COPY of the foregoing mailed this
13 20th day of February, 2008 to:

14 Office of Administrative Hearings
15 1400 West Washington, Suite 101
16 Phoenix, Arizona 85007

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

25 Lenin Arthanari
26 Low & Childers, PC
2999 N. 44th Street, Suite 250
Phoenix, Arizona 85018
Attorney For Petitioner

23 
24 Curvey Burton

**ATTACHMENT ADMINISTRATIVE LAW JUDGE
DECISION - REDACTED.** The document contains
personal information that may be inappropriate for public
disclosure, including names, addresses, contract numbers,
amount requested by claimant, final determinations of
claim amounts and calculated distribution amounts.