STATE OF ARIZONA FILED

JUL 1 2009

STATE OF ARIZONA

DEP	T OF INSURANCE
BY.	

DEPARTMENT OF INSURANCE

In the Matter of) Docket No. 09A- <u>068</u> -INS
Western National Mutual Insurance Company (MN) (NAIC NO. 15377))) ORDER RELEASING
Petitioner.) DEPOSIT) _)

Upon the Petitioner's written application for the release of deposited funds, the Director shall issue an Order releasing and returning the deposited funds to the Petitioner to the extent that the deposit is in excess of the amount required. A.R.S. § 20-588(A)(2).

FINDINGS OF FACT

- 1. Western National Mutual Insurance Company ("Petitioner") is a Minnesota domiciled insurer that is not licensed to transact insurance in Arizona.
- 2. Farmers Home Mutual Insurance Company (NAIC NO. 13846) ("FHMIC") was a Minnesota domiciled insurer that surrendered its Arizona certificate of authority on February 16, 2007. As a condition of its withdrawal from Arizona, FHMIC posted a deposit ("Security Deposit") with the Arizona State Treasurer as security for Arizona liabilities.
- 3. FHMIC merged into Petitioner effective December 31, 2007 and the Security

 Deposit became the Petitioner's property.
- 4. Petitioner submitted an affidavit from Kevin J. Christy, Vice President and Chief Actuary, avowing that all outstanding claims and liabilities of FHMIC have been extinguished and FHMIC has no remaining obligations in Arizona.

i	၂ ၁.	Petitioner's Security Deposit is approximately \$270,000 (1 wo numbed seventy
2	thousand dollars and no cents).	
3	6.	Pursuant to A.R.S. § 20-588(A)(2), Petitioner filed an application dated June 12,
4	2009 for re	lease of its Security Deposit.
5		CONCLUSIONS OF LAW
6	1.	The Director has no personal liability for the release of such deposit made in
7	good faith as provided in A.R.S. § 20-588(B).	
8	2.	Petitioner meets the conditions for release of the Security Deposit.
9	3.	Petitioner is entitled to the release of the Security Deposit pursuant to A.R.S. §
10	20-588(A)(2	2).
11	i	ORDER
12	THEREFORE IT IS ORDERED that the Security Deposit in the approximate amount of	
13	\$270,000 shall be released to the Petitioner.	
14		Dated this 30th day of June, 2009
15		N
16	CHRISTINA URIAS	
17		Director of Insurance
18		
19	COPY of the foregoing mailed/delivered	
20	lins <u>lst</u> c	day of, 2009, to:
21	Judy K. McElheney, Assistant Secretary Western National Mutual Insurance Company 5350 West 78 th Street Edina, Minnesota 55439-3101	
22		
23	,	

Steve Ferguson, Assistant Director Leslie Hess, Legal Analyst Arizona Department of Insurance 2910 N. 44th Street, Suite 210 Phoenix, AZ 85018

Curvey Burton