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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE

In the Matter of the Surrender of the Certificate of

Authority of

Westchester Fire Insurance Company

(NAIC No. 21121),

Petitioner.

Docket No. 11A-028-INS

ORDER

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

FINDINGS OF FACT

- Westchester Fire Insurance Company ("Petitioner") is a New York domiciled 1. insurance company that received its certificate of authority to transact property and casualty insurance in Arizona effective January 1, 1907.
- 2. Petitioner, the non-surviving entity, merged into Ace Indemnity Insurance Company (AIIC), NAIC No. 10030, the surviving entity, a Pennsylvania domiciled insurer effective January 1, 2011. AIIC is authorized to transact insurance in Arizona. Petitioner voluntarily surrendered its certificate of authority to the Department.
- 3. The Insurance Commissioner of New York approved the merger of Petitioner into AIIC on July 1, 2010.

- 4. Petitioner has no outstanding obligations under any policy of insurance, whether written direct or through reinsurance ceded to it, to policyholders or claimants who are residents of this State.
- 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 \$198,000 workers' compensation deposit on behalf of the Petitioner.
- 7. Petitioner's 2010 Annual Statement and Annual Tax and Fees Report together with payment of all applicable fees are due to this Department March 1, 2011.
- 8. Petitioner has a \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").

CONCLUSIONS OF LAW

Petitioner has complied with the provisions of A.R.S. § 20-217 and with A.A.C. R20-6-303 relating to the surrender of its Certificate of Authority.

ORDER

- 1. The surrender of the Petitioner's certificate of authority is accepted.
- 2. Petitioner shall file its 2010 Annual Statement and Annual Tax and Fees Report together with payment of all applicable fees.
- 3. The Department shall transfer the \$198,000 workers' compensation deposit of the Petitioner to AIIC's account with the Department and it shall be held as a workers' compensation deposit of AIIC.

1	4. The Department shall refund to the Petitioner the sum of \$100.00 that was
2	previously credited to the IERF pursuant to A.R.S. § 20-159.
3	Effective this day of, 2011.
4	17-11
5	CHRISTINA URIAS
6	Director of Insurance
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7	
8	COPY of the foregoing mailed/delivered
9	this <u>10th</u> day of <u>March</u> , 2011, to:
10	Angelique Goudeaux, Senior Analyst Westmont Associates, Inc.
10	25 Chestnut Street, Suite 105
11	Haddonfield, New Jersey 08033
12	Gerrie Marks, Deputy Director
,,	Mary Butterfield, Assistant Director Steve Ferguson, Assistant Director
13	Catherine O'Neil, Consumer Legal Affairs Officer Leslie Hess, Financial Affairs Legal Analyst
14	Cary W. Cook, Insurer Licensing Manager
15	Arizona Department of Insurance 2910 N. 44 th Street, Suite 210
16	Phoenix, Arizona 85018
10	
17	Lervey Duttor
18	