

APR 7 2014

DEPT OF INSURANCE  
BY 

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of )  
)  
Mendakota Insurance Company )  
)  
(NAIC No. 22454) )  
)  
Petitioner. )  
\_\_\_\_\_ )

Docket No. 14A-047-INS

**ORDER RELEASING  
WORKERS' COMPENSATION  
DEPOSIT**

Arizona Revised Statutes (A.R.S.) § 23-961 provides that workers' compensation deposits shall be held by the Director of Insurance as security for fulfillment of the obligations of an insurer under Title 23.

**FINDINGS OF FACT**

1. Mendakota Insurance Company ("Petitioner"), a Minnesota domiciled insurance company, received its certificate of authority to transact property and casualty insurance including workers' compensation in Arizona on February 25, 2004.

2. The Arizona Department of Insurance ("Department") presently holds a workers' compensation deposit for the protection of Petitioner's Arizona workers' compensation policyholders and claimants in the amount of \$105,000 pursuant to A.R.S. § 23-961 ("WC Deposit").

3. On April 2, 2014, Petitioner requested the termination of its workers' compensation authority in the State of Arizona and requested the release of its workers' compensation deposit.

4. On April 3, 2014, the Petitioner's workers' compensation authority was terminated from its certificate of authority.

5. Petitioner has no obligations under any workers' compensation policy of

1 insurance to any policyholders or claimants who are residents of Arizona.

2 6. Petitioner is not the subject of any pending investigation or market conduct  
3 examination, and Petitioner does not owe the Department any filings or fees.

4 **CONCLUSIONS OF LAW**

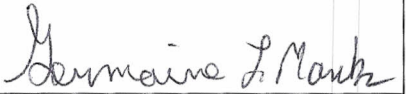
5 1. The Director has no personal liability for the release of such deposit so made by  
6 her in good faith as provided in A.R.S. § 20-588(B).

7 2. Petitioner is entitled to a release of the workers' compensation deposit pursuant  
8 to A.R.S. § 20-588(A)(1).

9 **ORDER**

10 THEREFORE, IT IS ORDERED that the workers' compensation deposit in the amount  
11 \$105,000 shall be released to Petitioner.

12 Effective this 7<sup>th</sup> day of April, 2014.

13  
14   
15 GERMAINE L. MARKS  
16 Director of Insurance

17 COPY of the foregoing mailed/delivered  
18 this 7<sup>th</sup> day of April 2014, to:

19 Fred E. Karlinsky  
20 Colodny Fass Talenfeld Karlinsky Abate Webb  
21 One Financial Plaza, 23<sup>rd</sup> Floor  
22 100 Southeast 3<sup>rd</sup> Avenue  
23 Fort Lauderdale, Florida 33394

Renee Pastor  
Industrial Commission of Arizona  
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2 Kurt A. Regner, CFE, Assistant Director  
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