

MAY 28 2019

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY mek

In the Matter of:

**Nevada General Insurance Company
(NAIC NO. 10007)**

No. 19A-083 -INS

Respondent.

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") alleges that **Nevada General Insurance Company ("Respondent")** may have violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is a Property and Casualty insurer, domiciled in Nevada that holds a certificate of authority issued by the Arizona Department of Insurance ("Department").
2. On December 14, 2018, on behalf of the Arizona Department of Insurance, the National Association of Insurance Commissioners ("NAIC") issued a 2018 Market Conduct Annual Statement Letter ("MCAS Letter") to Respondent. The MCAS Letter reminded Respondent of its obligation to submit Arizona Market Conduct Annual Statement ("MCAS") data for the period January 1, 2018 through December 31, 2018 to NAIC. Respondent was required to make its submission on or by April 30, 2019.
3. On April 22, 2019, Respondent requested an extension to submit its MCAS data based on a "change in resources."
4. On April 23, 2019, the Department denied Respondent's request for an extension without a detailed explanation of the reasons Respondent is unable to timely file.
5. On May 3, 2019, Respondent made its Arizona MCAS submission.

1 CONCLUSIONS OF LAW

2 1. The Director has jurisdiction over this matter.

3 2. The Department has authority to request the MCAS data pursuant to A.R.S. §§
4 20-142(C), 20-156(A), and 20-158(D), (F) and (G).

5 3. Respondent's conduct, as alleged above, constitutes a violation of the
6 requirement that every person being examined and its officers, employees, agents and
7 representatives produce and make freely accessible to the Director or the Director's examiners
8 the accounts, records, documents, files, assets and matters in the person's possession or
9 control relating to the subject of the examination, within the meaning of A.R.S. § 20-157(A).

10 4. Respondent's conduct, as alleged above, constitutes a violation of Title 20, within
11 the meaning of A.R.S. § 20-220(A)(1).

12 5. Grounds exist for the Director to refuse to renew, revoke, suspend Respondent's
13 certificate of authority or assess a penalty, within the meaning of A.R.S. §§ 20-220(A) and (B).

14 6. Any civil penalty is in addition to any other penalty imposed by law, within the
15 meaning of A.R.S. §§ 20-220(B).

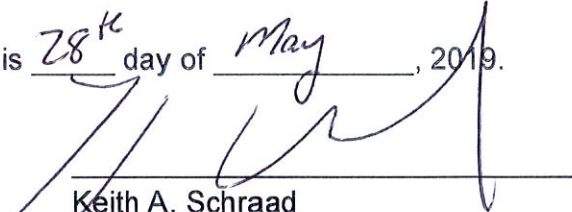
16 ORDER

17 IT IS THEREFORE ORDERED:

18 1. NGIC shall immediately pay a civil money penalty in the amount of \$5,000 for
19 deposit into the state general fund.

20 2. This Order shall become effective immediately and shall remain in full force and
21 effect until otherwise stayed, modified, vacated or set aside.

22 DATED AND EFFECTIVE this 28th day of May, 2019.

23 
24 Keith A. Schraad
Director of Insurance

1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
3 and Order.

4 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
5 Arizona, and voluntarily consents to the entry of this Order.

6 3. Respondent is aware of its right to notice and a hearing at which it may be
7 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
8 waives its right to such notice and hearing and to any court appeals relating to this Consent
9 Order.

10 4. Respondent states that no promise of any kind or nature whatsoever, except as
11 expressly contained in this Consent Order, was made to it to induce it to enter into this
12 Consent Order and that it has entered into this Consent Order voluntarily.

13 5. Respondent acknowledges that the acceptance of this Consent Order by the
14 Director is solely to settle this matter against it and does not preclude any other agency,
15 officer, or subdivision of this state including the Department from instituting civil or criminal
16 proceedings as may be appropriate now or in the future not related to this matter.

17 6. Stuart Christopher Henderson represents that he is the President & CEO of
18 Nevada General Insurance Company and, as such, is authorized to enter this Consent Order
19 on its behalf.

20 Nevada General Insurance Company

21 
22 _____
23 Stuart Christopher Henderson, President & CEO

22 5/20/2019
23 Date

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COPY of the foregoing mailed this
30th day of May, 2019, to:

Nevada General Insurance Company
5685 Spring Mountain Road
Las Vegas, NV 89146-8828

Respondent

COPY of the foregoing delivered same date to:

Scott Greenberg, Deputy Director
Mary Kosinski, Regulatory Legal Affairs Officer
Erin Klug, Assistant Director
Maria Ailor, Market Conduct Oversight Manager

Arizona Department of Insurance
100 N. 15th Ave., Suite 102
Phoenix, AZ 85007-2624


Francine Martinez