

MAR 12 1997

DEPT. OF INSURANCE
BY Kathy

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of the Withdrawal of:)
)
CAPITOL SECURITY LIFE INSURANCE)
COMPANY (NAIC No. 91200),)
)
Petitioner.)

Docket No. 97A-011-INS

ORDER

On March 11, 1997, the Office of Administrative Hearings, through Administrative Law Judge Lewis D. Kowal, submitted "Recommended Decision of Administrative Law Judge" ("Recommended Decision"), a copy of which is attached and incorporated by this reference. The Director of the Arizona 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. The Petitioner may file its Articles of Amendment to its Articles of Incorporation ("Articles of Amendment") with the Arizona Corporation Commission.
3. The Petitioner is entitled to the release of its statutory deposit in the sum of \$100,000.00 and Petitioner's statutory deposit will be released to the Petitioner after the Department has received the following: (a) a copy of Petitioner's Articles of Amendment certified as filed by the Arizona Corporation Commission; and (b) a fully executed Form E126 (Notice of Trust Deposit Release). The statutory deposit will not be released until the Department receives a fully executed copy of the official State Treasurer Release Receipt.

1 A copy of the foregoing mailed
this 12th day of March, 1997

2 Charles R. Cohen, Deputy Director
3 Mary Butterfield, Assistant Director
Catherine O'Neil, Assistant Director
4 Gary Torticill, Assistant Director
Deloris Williamson, Assistant Director
5 Scott Greenberg, Business Administrator
Arizona Department of Insurance
6 2910 N. 44th Street, Suite 210
Phoenix, AZ 85018

7 Office of Administrative Hearings
8 1700 W. Washington, Suite 602
Phoenix, AZ 85007

9 Philip T. Paris
10 2929 N. 44th Street, Suite 120
Phoenix, AZ 85018

11
12  _____
13
14
15
16
17
18
19
20
21
22
23

1
2
3
4
5
6
7
8
9

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Withdrawal of

No. 97A-011-INS

**CAPITOL SECURITY LIFE INSURANCE
COMPANY (NAIC NO. 91200),**

**RECOMMENDED DECISION
OF ADMINISTRATIVE
LAW JUDGE**

Petitioner.

10
11
12
13
14

HEARING: February 27, 1997

APPEARANCES: Philip T. Paris, Esq. for the Petitioner and Kurt Regner for
the Arizona Department of Insurance.

ADMINISTRATIVE LAW JUDGE: Lewis D. Kowal

15
16
17
18
19
20

On February 27, 1997 a hearing took place, to consider the application of
Capitol Security Life Insurance Company (the "Petitioner"), that was filed with the
Arizona Department of Insurance (the "Department") to withdraw from the insurance
business and for the release of its statutory deposit pursuant to A.R.S. §20-588 and
A.A.C. R20-6-303.

21
22

Based upon the entire record in this matter the following recommended Findings
of Fact, Conclusions of Law and Recommended Order are made:

23

FINDINGS OF FACT AND CONCLUSIONS OF LAW

24
25

1. The Petitioner has surrendered its Certificate of Authority to the
Department.

26
27
28
29
30

2. The Petitioner has filed with the Department certified copies of Resolutions
of the Petitioner's Board of Directors and of the Petitioner's shareholder(s) to withdraw
from the insurance business, to amend its articles of incorporation to eliminate its
insuring powers, and to adopt a new corporate name which shall not include the word
"insurance".

Office of Administrative Hearings
1700 West Washington, Suite 602
Phoenix, Arizona 85007
(602) 542-9826

