

NOV 9 2010

DEPT OF INSURANCE  
BY MS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of the Surrender of the Certificate of )  
 Authority of )  
 United Capital Title Insurance Company )  
 (NAIC No. 50041), )  
 Petitioner. )

Docket No. 10A-157-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**

1. United Capital Title Insurance Company ("Petitioner") is a California domiciled insurance company that received its certificate of authority to transact title insurance in Arizona effective April 16, 2001.

2. Petitioner, the non-surviving entity, merged into Fidelity National Title Insurance Company (FNTIC), NAIC No. 51586, the surviving entity, a California domiciled insurer effective June 30, 2010. FNTIC is authorized to transact insurance in Arizona. Petitioner voluntarily surrendered its certificate of authority to the Department.

3. The Insurance Commissioner of California approved the merger of Petitioner into FNTIC on June 11, 2010.

4. Petitioner has no insurance obligations under any policy of insurance to any policyholders or claimants who are residents of Arizona.

1 5. Petitioner is not the subject of any pending investigation or market conduct  
2 examination and Petitioner does not owe this Department any filings or fees.

3 6. The Department holds a \$600,000 statutory deposit on behalf of the Petitioner.

4 7. Petitioner has a \$100.00 deposit with the Insurance Examiners' Revolving Fund  
5 ("IERF").

6 **CONCLUSIONS OF LAW**

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

9 2. Petitioner has complied with the provisions of A.R.S. § 20-588 and with A.A.C.  
10 R20-6-303 relating to the release of its \$600,000 statutory deposit.

11 **ORDER**


12 1. The surrender of the Petitioner's certificate of authority is accepted.

13 2. The Department shall release the \$600,000 statutory deposit to the Petitioner.

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

16 3. The Department shall refund to the Petitioner the sum of \$100.00 that was  
17 previously credited to the IERF pursuant to A.R.S. § 20-159.

18 Effective this 5<sup>th</sup> day of November, 2010.

19   
20 \_\_\_\_\_  
21 CHRISTINA URIAS  
22 Director of Insurance  
23

1 COPY of the foregoing mailed/delivered  
this 9<sup>th</sup> day of November, 2010, to:

2 Tina Firster  
3 Fidelity National Financial, Inc.  
601 Riverside Avenue T-11  
4 Jacksonville, Florida 32204

5 Gerrie Marks, Deputy Director  
Mary Butterfield, Assistant Director  
6 Steve Ferguson, Assistant Director  
Catherine O'Neil, Consumer Legal Affairs Officer  
7 Leslie Hess, Financial Affairs Legal Analyst  
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9 Phoenix, Arizona 85018

10 *Maiden Scheuer*