

FEB 24 2020

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY mi

In the Matter of the Withdrawal of)
Fort Wayne Medical Surety Company, Risk)
Retention Group)
(NAIC No. 12625))

Petitioner.)

Docket No. 20A-019-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. Petitioner is currently licensed in the State of Arizona as a risk retention group.
2. Petitioner surrendered its Certificate of Authority to the Department.
3. Petitioner filed with the Department certified copies of Resolutions of the Petitioner's Board of Directors and the Petitioner's shareholder(s) authorizing Petitioner to withdraw from the insurance business and to file its Statement of Domestication/Articles of Redomestication or equivalent document.
4. Petitioner filed its certified financial statement as of December 31, 2019 with the Department.
5. Petitioner has outstanding obligations under policies of insurance, whether written direct or through reinsurance ceded to it, to policyholders or claimants. Petitioner's

1 insurance obligations shall be an obligation of the redomesticated insurer upon
2 redomestication.

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

5 **CONCLUSIONS OF LAW**

6 Petitioner has complied with the provisions of A.R.S. § 20-217, Title 20, Chapter 4,
7 Article 14 and with A.A.C. R20-6-303 relating to the surrender of its Certificate of Authority and
8 its withdrawal from the insurance business.

9 **ORDER**

- 10 1. Petitioner's request to terminate its Certificate of Authority is granted.
- 11 2. Petitioner may file its Statement of Domestication/Articles of Redomestication or
12 equivalent document with the Arizona Corporation Commission ("ACC").
- 13 3. Petitioner shall provide the Department with an ACC certified copy of Petitioner's
14 ACC filed Statement of Domestication/Articles of Redomestication or equivalent document.
- 15 4. Petitioner shall file its 2019 Annual Statement with the Department.
- 16 5. Petitioner shall pay its Certificate of Authority renewal fee to the Department
17 unless it files its Statement of Domestication/Articles of Redomestication or equivalent
18 document with the ACC on or before March 31, 2020.
- 19 6. Petitioner shall file its 2020 Annual Statement with the Department unless it files
20 its Statement of Domestication/Articles of Redomestication or equivalent document with the
21 ACC on or before December 31, 2020.
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1 7. The Department shall refund to the Petitioner the \$100.00 that was previously
2 credited to the IERF pursuant to A.R.S. § 20-159.

3 Effective this 24th day of February, 2020.

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6 **CHRISTINA CORIERI, Interim Director**
Arizona Department of Insurance

7 COPY of the foregoing mailed/delivered
8 this 26th day of February, 2020, to:

9 Steven D. Dyer, CPCU
10 Steve Dyer Law, LLC
82 Marsh Grass Way
Pawleys Island, South Carolina 29585

11 Deian Ousounov, Regulatory Legal Affairs Officer
12 Maria Ailor, Assistant Director
Kurt Regner, CFE, Assistant Director
13 Catherine O'Neil, Consumer Legal Affairs Officer
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