

STATE OF ARIZONA

NOV 14 1997

DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE  
BY ED

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3 In the Matter of Withdrawal of: ) Docket No.97A-150-INS  
4 ANDERSON LIFE INSURANCE )  
5 COMPANY (NAIC No. 74659), ) ORDER  
6 Petitioner. )  
\_\_\_\_\_ )

7  
8 On November 4, 1997, the Office of Administrative  
9 Hearings, through Administrative Law Judge Lewis D. Kowal,  
10 submitted "Recommended Decision of Administrative Law Judge"  
11 ("Recommended Decision"), a copy of which is attached and  
12 incorporated by this reference. The Director of the Arizona  
13 Department of Insurance has reviewed the Recommended Decision and  
14 enters the following order:

15 1. The recommended findings of fact and conclusions of  
16 law are adopted.

17 2. The Petitioner may file its Articles of Dissolution  
18 with the Arizona Corporation Commission.

19 3. The Petitioner is entitled to the release of its  
20 statutory deposit in the sum of \$100,000.00 and that the  
21 statutory deposit will be released to the Petitioner after the  
22 Department has received the following: (a) payment of \$349.60 to  
23 the Insurance Examiners' Revolving Fund ("IERF"); (b) a copy of  
24 Petitioner's Articles of Dissolution certified as having been  
25 filed with the Arizona Corporation Commission; and (c) a fully  
26 executed Form E126 (Notice of Trust Deposit Release). The  
27 statutory deposit cannot be released until the Department  
28

1 receives a fully executed copy of the official State Treasurer  
2 Release Receipt.

3 4. The sum of \$100.00 previously credited to the IERF  
4 will be refunded to the Petitioner, pursuant to A.R.S. §20-159.

5 5. The Petitioner will file its 1997 Annual Statement  
6 with the Department, together with all applicable fees, unless  
7 Petitioner files its Articles of Dissolution with the Arizona  
8 Corporation Commission on or before December 31, 1997.

9 NOTIFICATION OF RIGHTS

10 The aggrieved party may request a rehearing with  
11 respect to this Order by filing a written petition with the  
12 Office of Administrative Hearings within 30 days of the date of  
13 this Order, setting forth the basis for such relief pursuant to  
14 A.A.C. R20-6-114(B).

15 The final decision of the Director may be appealed to  
16 the Superior Court of Maricopa County for judicial review  
17 pursuant to A.R.S. § 20-166. A party filing an appeal must  
18 notify the Office of Administrative Hearings of the appeal within  
19 ten days after filing the complaint commencing the appeal,  
20 pursuant to A.R.S. §41-1092.10.

21 DATED this 13 day of November, 1997

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26 John A. Greene  
27 Director of Insurance  
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COPY of the foregoing mailed  
this 14<sup>th</sup> day of November, 1997 to:

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

Office of Administrative Hearings  
1700 West Washington, Suite 602  
Phoenix, AZ 85007

Philip T. Paris  
2999 N. 44th Street, Suite 120  
Phoenix, AZ 85018

Esther Davis



1 Petitioner also represented that it has no creditors in the State of Arizona and has no  
2 remaining obligations or liabilities in the State of Arizona.

3 6. The Petitioner has a \$100,000.00 statutory deposit with the Department  
4 and a \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").

5 7. The Petitioner has complied with the provisions of A.R.S. §20-588 and with  
6 A.A.C. R20-6-303, relating to the release of its \$100,000.00 statutory deposit.

7 8. Petitioner currently owes \$349.60 to the IERF.

8 **RECOMMENDED ORDER**

9 The undersigned Administrative Law Judge recommends that:


10 1. The Petitioner may file its Articles of Dissolution with the Arizona  
11 Corporation Commission.

12 2. The Petitioner is entitled to the release of its statutory deposit in the sum of  
13 \$100,000.00 and that the statutory deposit shall be released to the Petitioner after the  
14 Department has received the following: (a) payment of \$349.60 to the IERF; (b) a copy  
15 of Petitioner's Articles of Dissolution certified as having been filed with the Arizona  
16 Corporation Commission; and (c) a fully executed Form E126 (Notice of Trust Deposit  
17 Release). The statutory deposit cannot be released until the Department receives a  
18 fully executed copy of the official State Treasurer Release Receipt.

19 3. The sum of \$100.00 previously credited to the IERF be refunded to the  
20 Petitioner, pursuant to A.R.S. §20-159.

21 4. The Petitioner file its 1997 Annual Statement with the Department, together  
22 with all applicable fees, unless Petitioner files its Article of Dissolution with the Arizona  
23 Corporation Commission on or before December 31, 1997.

24 Done this day, November 4, 1997.

25 

26 LEWIS D. KOWAL  
27 Administrative Law Judge  
28  
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1 Original transmitted by mail this  
2 5 day of November, 1997, to:

3 Mr. John A. Greene, Director  
4 Department of Insurance  
5 ATTN: Curvey Burton  
6 2910 North 44th Street, #210  
7 Phoenix, AZ 85018-7256

8 By Chris Crawford Thomas  
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