

STATE OF ARIZONA

DEC 26 1997

DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE
BY Kate

In the Matter of the Withdrawal of:)
)
NATIONAL MARKETING LIFE INSURANCE)
COMPANY (NAIC No. 60075),)
)
Petitioner.)
_____)

Docket No. 97A-189-INS

ORDER

On December 24, 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 Dissolution 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 that the statutory deposit will be released to the Petitioner after the Department has received the following: (a) a copy of Petitioner's Articles of Dissolution certified as having been filed with 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 26 day of December, 1997

2 Charles R. Cohen, Deputy Director
3 Gregory Y. Harris, Executive Assistant Director
4 Mary Butterfield, Assistant Director
5 Catherine O'Neil, Assistant Director
6 Gary Torticill, Assistant Director
7 Deloris Williamson, Assistant Director
8 Scott Greenberg, Business Administrator
9 Department of Insurance
10 2910 N. 44th Street, Suite 210
11 Phoenix, AZ 85018

12 Office of Administrative Hearings
13 1700 W. Washington, Suite 602
14 Phoenix, AZ 85007

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18 Steven R. Henry
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20 2999 N. 44th Street, Suite 250
21 Phoenix, AZ 85018

22 Kathy Lender

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Withdrawal of

No. 97A-189-INS

**NATIONAL MARKETING LIFE
INSURANCE COMPANY (NAIC
No. 60075),**

**RECOMMENDED DECISION
OF ADMINISTRATIVE
LAW JUDGE**

Petitioner.

HEARING: December 22, 1997

APPEARANCES: Steven R. Henry, Esq. for Petitioner; Kurt Regner for the
Arizona Department of Insurance

ADMINISTRATIVE LAW JUDGE: Lewis D. Kowal

On December 22, 1997, a hearing took place at, to consider the application of National Marketing Life Insurance Company ("the "Petitioner"), 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.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Petitioner has filed an Affidavit of Lost Certificate of Authority with the Arizona Department of Insurance ("Department").

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) authorizing Petitioner to withdraw from the insurance business by dissolution.

3. The Petitioner has no insurance obligations owing to it, whether by policies written direct or by reinsurance ceded to it.

4. The Petitioner has filed its certified financial statement as of June 30, 1997, with the Department.

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

Office of Administrative Hearings
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Original delivered by mail this
24 day of December, 1997:

John A. Greene, Director
Department of Insurance
Attn: Curvey Burton
2901 N. 44th St., Suite 210
Phoenix, AZ 85018

By Chris Crawford Thomas