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ORDER

Respondent having admitted the jurisdiction of the Director to enter this Order, having waived the Notice of Hearing and the hearing, having waived any and all right to appeal this Order, and having consented to the entry of this Order, and there being no just reason for delay:

**IT IS HEREBY ORDERED THAT:**

1. Respondent shall pay a civil penalty of ONE THOUSAND DOLLARS (\$1,000.00) to the Director for remission to the State Treasurer for deposit in the State General Fund. Said civil penalty shall be provided to the Administrative Law Division of the Department of Insurance on or before November 18, 1994.

EFFECTIVE this 23rd day of November, 1994.



CHRIS HERSTAM  
Director of Insurance

1  
2 CONSENT TO ORDER

3 1. Respondent, Prudential Insurance Company of America,  
4 has reviewed the foregoing Order.

5 2. Respondent is aware of its right to a hearing at which  
6 hearing Respondent may be represented by counsel, present  
7 evidence and cross-examine witnesses. Respondent has irrevocably  
8 waived its right to such public hearing and to any court appeals  
9 relating thereto.

10 3. Respondent admits the jurisdiction of the Director of  
11 Insurance, State of Arizona, and consents to the entry of this  
12 Order.

13 4. Respondent states that no promise of any kind or nature  
14 whatsoever was made to induce it to enter into this Order and  
15 that it has entered into this Order voluntarily.

16 5. Respondent acknowledges that the acceptance of this  
17 Order by the Director of Insurance, State of Arizona, is solely  
18 for the purpose of settling this litigation against it and does  
19 not preclude any other agency or officer of this state or  
20 subdivision thereof from instituting other civil or criminal  
21 proceedings as may be appropriate now or in the future.

22 6. Donal A. Kinney represents that as  
23 Vice President and Counsel, (~~X~~) he is an officer of Prudential  
24 Insurance Company of America and that, as such, has been  
25 authorized by it to enter into this Order for and on its behalf.

26 PRUDENTIAL INSURANCE COMPANY OF AMERICA

27 November 17, 1994  
28 (Date)

By Donal A. Kinney

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COPY of the foregoing mailed/delivered  
this 23rd day of November, 1994, to:

Gay Ann Williams, Deputy Director  
Gregory Y. Harris, Administrative Law Judge  
Catherine O'Neil, Assistant Director  
Consumer Services and Investigations  
Mary Butterfield, Manager  
Health Policy Division  
Erin Klug, Executive Assistant to the Director  
Gary Torticill, Assistant Director and Chief Financial Examiner  
Corporate & Financial Affairs Division  
Deloris E. Williamson, Assistant Director  
Rates and Regulations Division  
Shirley Polzin, Supervisor  
Life and Disability Section  
Arizona Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, AZ 85018

David A. Taaffe  
Vice President, Operations  
Prudential Insurance Company of America  
5800 Canoga Avenue  
Woodland Hills, CA 92367

J. Michael Low, Esq.  
Low and Childers  
1221 East Osborn, Suite 104  
Phoenix, AZ 85014

  
Chris Crawford