STATE OF ARIZONA FILED

SEP 3 1998

STATE OF ARIZONA

DEP	r. OF	INS	UHAN	CF
BY_	7	313		~_

DEPARTMENT OF INSURANCE

In the Matter of the Withdrawal of:) Docket no. 98A-079-INS
KEY PARTNERS LIFE INSURANG (NAIC No. 67305),	CE) ORDER
Petitioner.	
On August 31, 1998,	the Office of Administrative Hearings, through Administrative Law
Judge Lewis D. Kowal submitted Re	commended 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 recommen	nded 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 de	eposit will be released to the Petitioner after the Department has

State Treasurer Release Receipt.

received the following: (a) payment of \$349.60 to the Insurance Examiners' Revolving Fund ("IERF");

Corporation Commission; and (c) 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

(b) a copy of Petitioner's Articles of Dissolution certified as having been filed with the Arizona

1	4. The sum of \$100.00 previously credited to the IERF will be refunded to the
2	Petitioner, pursuant to A.R.S. § 20-159.
3	5. The Petitioner will file its 1998 Annual Statement with the Department, together
4	with all applicable fees, unless Petitioner files its Articles of Dissolution with the Arizona Corporation
5	Commission on or before December 31, 1998.
6	NOTIFICATION OF RIGHTS
7	The aggrieved party may request a rehearing with respect to this Order by filing a written
8	petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth
9	the basis for such relief pursuant to A.A.C. R20-6-114(B).
10	The final decision of the Director may be appealed to the Superior Court of Maricopa
11	County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal must notify the Office
12	of Administrative Hearings of the appeal within ten days after filing the complaint commencing the
13	appeal, pursuant to A.R.S. § 41-1092.10.
14	DATED this of September, 1998
15	
16	
17	Value A. Greene
18	John A. Greene Director of Insurance
19	
20	
21	
22	
23	

1	A copy of the foregoing mailed
2	this <u>3rd</u> day of September, 1998
3	Charles R. Cohen, Deputy Director Vista Brown, Executive Assistant
4	Mary Butterfield, Assistant Director Catherine O'Neil, Consumer Legal Affairs Officer
5	Gary Torticill, Assistant Director Deloris Williamson, Assistant Director
6	Scott Greenberg, Business Administrator Department of Insurance
7	2910 N. 44th Street, Suite 210 Phoenix, AZ 85018
8	Office of Administrative Hearings 1700 W. Washington, Suite 602
9	Phoenix, AZ 85007
10	Carrie M. Meyer, CLA
11	Low & Childers, P.C. 2999 N. 44th Street, Suite 250
12	Phoenix, AZ 85018
13	Bethy Bryant
14	
15	
16	
17	
18	
19	
20	

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Withdrawal of

KEY PARTNERS LIFE INSURANCE COMPANY (NAIC NO. 67305),

Petitioner.

No. 98A-079-INS

RECOMMENDED DECISION OF ADMINISTRATIVE LAW JUDGE

HEARING: August 25, 1998

APPEARANCES: Steven R. Henry, Esq. for the Petitioner

ADMINISTRATIVE LAW JUDGE: Lewis D. Kowal

On August 25,1998, a hearing took place to consider the application of Key Partners 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 surrendered its certificate of authority to 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 March 23, 1998, 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.
- 6. The Petitioner has a \$100,000.00 statutory deposit with the Department and a \$100.00 deposit with the Insurance Examiners' Revolving Fund ("IERF").

Office of Administrative Hearings 1700 West Washington, Suite 602 Phoenix, Arizona 85007 (602) 542-9826

2

1

4

5 6

7

8

10

11

12

13 14

15

16 17

18

19 20

21 22

23

2425

26 27

28

29 30

- 7. The Petitioner has complied with the provisions of A.R.S. §20-588 and with A.A.C. R20-6-303, relating to the release of its \$100,000.00 statutory deposit.
 - 8. Petitioner currently owes \$349.60 to the IERF.

RECOMMENDED ORDER

The undersigned Administrative Law Judge recommends that:

- 1. The Petitioner may file its Articles of Dissolution with the Arizona Corporation Commission.
- 2. The Petitioner is entitled to the release of its statutory deposit in the sum of \$100,000.00 and that the statutory deposit shall be released to the Petitioner after the Department has received the following: (a) payment of \$349.60 to the IERF; (b) a copy of Petitioner's Articles of Dissolution certified as having been filed with the Arizona Corporation Commission; and (c) a fully executed Form E126 (Notice of Trust Deposit Release). The statutory deposit cannot be released until the Department receives a fully executed copy of the official State Treasurer Release Receipt.
- 3. The sum of \$100.00 previously credited to the IERF shall be refunded to the Petitioner, pursuant to A.R.S. §20-159.
- 4. The Petitioner shall file its 1998 Annual Statement with the Department, together with all applicable fees, unless Petitioner files its Articles of Dissolution with the Arizona Corporation Commission on or before December 31, 1998.

Done this day, August 31, 1998.

Lewis D. Kowal

Administrative Law Judge

Course

Original transmitted by mail this ____ day of ______, 1998, to:

Mr. John A. Greene, Director Department of Insurance 2910 North 44th Street, Ste. 210 Phoenix, AZ 85018

Attention: Curvey Burton