

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

STATE OF ARIZONA
FILED

DEC 16 2005

DEPT OF INSURANCE
BY 

In the Matter of the Withdrawal of:)	Docket No. 05A-139-INS
)	
FIRSTMERIT CREDIT LIFE INSURANCE)	
COMPANY (NAIC #72486),)	ORDER
)	
Petitioner.)	
)	
)	

On December 12, 2005, the Office of Administrative Hearings, through Administrative Law Judge ("ALJ") Lewis D. Kowal, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on December 14, 2005, a copy of which is attached and incorporated by this reference. The Director of the 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. Petitioner may file its Articles of Dissolution with the Arizona Corporation Commission.
3. Petitioner is entitled to the release of its statutory deposit in the sum of \$100,000.00. The statutory deposit shall 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 Request for

1 Release of Certificate of Deposit Form E126CD and a fully executed copy of the Official State
2 Treasurer Receipt Form E101.

3 4. The Director of the Department has no personal liability for the release of the
4 statutory deposit made by her in good faith as provided in A.R.S. § 20-588(B).

5 5. The sum of \$100.00 previously credited to the Insurance Examiners' Revolving
6 Fund shall be refunded to Petitioner pursuant to A.R.S. § 20-159.

7 6. Petitioner shall file its 2005 Annual Statement with the Department, together with
8 all applicable fees, unless Petitioner files its Articles of Dissolution with the Arizona
9 Corporation Commission on or before December 31, 2005.

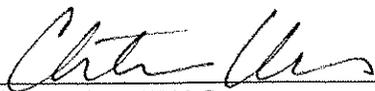
10 7. Petitioner shall pay to the Department its certificate of authority renewal fee if
11 Petitioner's Articles of Dissolution are not filed with the Arizona Corporation Commission on or
12 before March 31, 2006.

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14 NOTIFICATION OF RIGHTS

15 Pursuant to A.R.S. § 41-1092.09, Petitioner may request a rehearing with
16 respect to this order by filing a written motion with the Director of the Department of Insurance
17 within 30 days of the date of this Order, setting forth the basis for relief under A.A.C. R20-6-
18 114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before
19 filing an appeal to Superior Court.

20 Petitioner may appeal the final decision of the Director to the Superior Court of
21 Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal must
22 notify the Office of Administrative Hearings of the appeal within ten days after filing the
23 complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

1 DATED this 16th of December, 2005

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4 _____
5 CHRISTINA URIAS
6 Director of Insurance

7 A copy of the foregoing mailed
8 this 16th day of December, 2005

9 Gerrie L. Marks, Deputy Director
10 Mary Butterfield, Assistant Director
11 Catherine O'Neil, Consumer Legal Affairs Officer
12 Steve Ferguson, Assistant Director
13 Deloris Williamson, Assistant Director
14 Leslie R. Hess, Financial Affairs Legal Analyst
15 Kurt A. Regner, Chief Financial Analyst
16 Arizona Department of Insurance
17 2910 N. 44th Street, Suite 210
18 Phoenix, AZ 85018

19 Lewis D. Kowal
20 Office of Administrative Hearings
21 1400 W. Washington, Suite 101
22 Phoenix, AZ 85007

23 Werner J. Meyer, Esq.
4700 N. Central Avenue, Suite 204
Phoenix, AZ 85012