

DEC 23 2005

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY 

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

In the Matter of the Withdrawal of:)	Docket No. 05A-165-INS
)	
SENATE INSURANCE COMPANY)	ORDER
(NAIC #73628),)	
)	
Petitioner.)	
)	
)	

On December 15, 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 19, 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 after Petitioner has filed documentation with the Department establishing that the District Court of Travis County, Texas, has issued an Order approving United Republic's Application for Authority to Dissolve Subsidiary and that such Order contains a requirement that United Republic restrict \$50,000.00 of Petitioner's cash assets for six months for payment of possible future claims arising out of Petitioner's dental coverage.
3. Petitioner is entitled to the release of its statutory deposit in the sum of \$510,000.00. The statutory deposit shall be released to the Petitioner after the Department

1 has received the following: (a) a copy of Petitioner's Articles of Dissolution certified as having
2 been filed with the Arizona Corporation Commission and (b) a fully executed Request for
3 Release of Certificate of Deposit Form E126CD and a fully executed copy of the Official State
4 Treasurer Receipt Form E101.

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

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

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

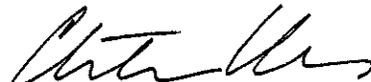
12 7. Petitioner shall pay to the Department its certificate of authority renewal fee if
13 Petitioner's Articles of Dissolution are not filed with the Arizona Corporation Commission on or
14 before March 31, 2006.

15 NOTIFICATION OF RIGHTS

16 Pursuant to A.R.S. § 41-1092.09, Petitioner may request a rehearing with
17 respect to this order by filing a written motion with the Director of the Department of Insurance
18 within 30 days of the date of this Order, setting forth the basis for relief under A.A.C. R20-6-
19 114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before
20 filing an appeal to Superior Court.
21
22
23

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

5 DATED this 22nd of December, 2005

6
7 
8 _____
9 CHRISTINA URIAS
10 Director of Insurance

11 A copy of the foregoing mailed
12 this 23rd day of December, 2005

13 Gerrie L. Marks, Deputy Director
14 Mary Butterfield, Assistant Director
15 Catherine O'Neil, Consumer Legal Affairs Officer
16 Steve Ferguson, Assistant Director
17 Deloris Williamson, Assistant Director
18 Leslie R. Hess, Financial Affairs Legal Analyst
19 Kurt A. Regner, Chief Financial Analyst
20 Arizona Department of Insurance
21 2910 N. 44th Street, Suite 210
22 Phoenix, AZ 85018

23 Lewis D. Kowal
 Office of Administrative Hearings
 1400 W. Washington, Suite 101
 Phoenix, AZ 85007

 Philip T. Paris
 2929 N. 44th Street, Suite 120
 Phoenix, AZ 85018



**ATTACHMENT ADMINISTRATIVE LAW JUDGE
DECISION - REDACTED.** The document contains
personal information that may be inappropriate for public
disclosure, including names, addresses, contract numbers,
amount requested by claimant, final determinations of
claim amounts and calculated distribution amounts.