

1 5. Petitioner has a \$100.00 deposit with the Insurance Examiners' Revolving Fund
2 ("IERF").

3 6. The Department holds a \$206,927 retaliatory deposit on behalf of the Petitioner.

4 **CONCLUSIONS OF LAW**

5 1. Petitioner has complied with the provisions of A.R.S. § 20-217 and with A.A.C.
6 R20-6-303 relating to the surrender of its Certificate of Authority and its withdrawal from the
7 insurance business.

8 2. Petitioner has complied with the provisions of A.R.S. § 20-588 and with A.A.C.
9 R20-6-303 relating to the release of its \$206,927 retaliatory deposit.

10 **ORDER**

11 1. The surrender of the Petitioner's certificate of authority is accepted.

12 2. The Department shall release the \$206,927 retaliatory deposit to the Petitioner.

13 The Director has no personal liability for the release of such deposit so made by her in good
14 faith as provided in A.R.S. §20-588(B).

15 3. The Department shall refund to the Petitioner the sum of \$100.00 that was
16 previously credited to the IERF pursuant to A.R.S. § 20-159.

17 Effective this 5th day of October, 2012.

18
19 Germaine L. Marks
20 GERMAINE L. MARKS
21 Acting Director
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23

1 COPY of the foregoing mailed/delivered
this 9th day of October, 2012, to:

2 James D. Dyer, Chairman of the Board of Directors
3 Summerlin Life and Health Insurance Company
Southwest Corporate Center
4 1600 West Broadway Road, Suite 300
Tempe, Arizona 85282

5 Gerrie Marks, Acting Director
6 Mary Butterfield, Assistant Director
Kurt A. Regner, CFE, Assistant Director
7 Catherine O'Neil, Consumer Legal Affairs Officer
Leslie Hess, Financial Affairs Legal Analyst
8 Arizona Department of Insurance
2910 N. 44th Street, Suite 210
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