

STATE OF ARIZONA

STATE OF ARIZONA  
FILED

DEPARTMENT OF INSURANCE

APR 8 1997

DEPT. OF INSURANCE  
BY Kathy

In the Matter of: )  
 )  
NEW YORK LIFE INSURANCE COMPANY, )  
 )  
Petitioner. )

Docket No. 96A-044-INS;  
96A-045-INS; 96A-046-INS;  
96A-047-INS

**ORDER**

In the Matter of: )  
 )  
METROPOLITAN LIFE INSURANCE )  
COMPANY, )  
 )  
Petitioner. )

In the Matter of: )  
 )  
COMMONWEALTH LIFE INSURANCE )  
COMPANY, )  
 )  
Petitioner. )

In the Matter of: )  
 )  
THE TRAVELERS INDEMNITY COMPANY, )  
 )  
Petitioner. )

On January 29, 1997, the Office of Administrative Hearings, through Administrative Law Judge Robert I. Worth, submitted "Recommended Order of Provisional Closing" ("Recommended Order"), a copy of which is attached and incorporated by this reference. Pursuant to A.R.S. § 41-


1 1092.08(B), the Director of the Arizona Department of Insurance declines to review the Recommended  
2 Order. Therefore, pursuant to A.R.S. § 41-1092.08(D)(1), the Recommended Order is the final  
3 administrative decision.

4 NOTIFICATION OF RIGHTS

5 The aggrieved party may request a rehearing with respect to this Order by filing a written  
6 petition with the Office of Administrative Hearings within 30 days of the date of this Order, setting forth  
7 the basis for such relief pursuant to A.A.C. R20-6-114(B).

8 The final decision of the Director may be appealed to the Superior Court of Maricopa  
9 County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal must notify the Office of  
10 Administrative Hearings of the appeal within ten days after filing the complaint commencing the appeal,  
11 pursuant to A.R.S. §41-1092.10.

12 DATED this 8 day of April, 1997

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14   
15 John A. Greene  
16 Director of Insurance

17 A copy of the foregoing mailed  
18 this 8<sup>th</sup> day of April, 1997

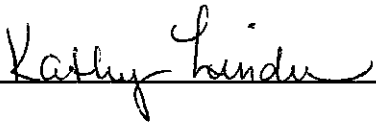
19 Charles R. Cohen, Deputy Director  
20 Gregory Y. Harris, Executive Assistant Director  
21 Catherine O'Neil, Assistant Director  
22 Gary Torticill, Assistant Director  
23 Department of Insurance  
2910 N. 44th Street, Suite 210  
Phoenix, AZ 85018

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Patrick Irvine  
Assistant Attorney General  
1275 W. Washington  
Phoenix, AZ 85007

Office of Administrative Hearings  
1700 W. Washington, Suite 602  
Phoenix, AZ 85007

Michael E. Hensley  
Jones, Skelton & Hochuli, P.L.C.  
2901 N. Central Avenue, Suite 800  
Phoenix, AZ 85012

  
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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the matter of

NEW YORK LIFE INSURANCE COMPANY,

Petitioner.

Nos. 96A-044-INS; 96A-045-INS;  
96A-046-INS; and 96A-047-INS

In the matter of

METROPOLITAN LIFE INSURANCE  
COMPANY,

Petitioner.

STATE OF ARIZONA  
RECEIVED

JAN 31 1997

DIRECTOR'S OFFICE  
INSURANCE DEPT.

In the matter of

COMMONWEALTH LIFE INSURANCE  
COMPANY,

Petitioner.

RECOMMENDED ORDER OF  
PROVISIONAL CLOSING

In the matter of

THE TRAVELERS INDEMNITY COMPANY,

Petitioner

During the course of the further Pre-Hearing Conference in the above-entitled matters, and following the tribunal's receipt of a verbal report as to the status of related civil litigation which is still pending, counsel for both the Petitioner and for the Arizona Department of Insurance avowed that all underlying issues between all parties would be resolved through the rule revision process.

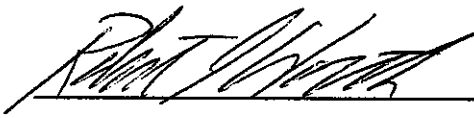
Office of Administrative Hearings  
1700 West Washington, Suite 602  
Phoenix, Arizona 85007  
(602) 542-9826

1  
2 It was determined that all of the above cases should be remanded to the  
3 Department of Insurance with a recommendation to the Director to automatically close  
4 these matters on a fixed future date, with leave given to either or both counsel to file, on  
5 or before such future date, a written request to restore some or all of these matters to  
6 the calendar of the Office of Administrative Hearings.

7  
8 Accordingly, IT IS HEREBY ORDERED that each of the above matters be  
9 remanded to the Arizona Department of Insurance with a recommendation that the  
10 Director of the Department enter his Order automatically closing each of the above  
11 cases, effective on June 30, 1997, unless any party files a written request on or before  
12 such closing date to restore any or all of these matters to the calendar of the Office of  
13 Administrative Hearings, in which event a hearing date shall be scheduled in the normal  
14 course of docketing.

15  
16 Dated: January 29, 1997.

17 OFFICE OF ADMINISTRATIVE HEARINGS

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20 Robert I. Worth  
21 Administrative Law Judge

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Original transmitted by mail this  
29 day of January, 1997, to:

John Greene, Director  
Department of Insurance  
2910 North 44th Street, #210  
Phoenix, AZ 85018-7256

ATTN: Curvey Burton

By Chris Crawford