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**Department of Insurance
State of Idaho**

Attorneys for Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:)	Docket No. 18-2510-09
)	
CIFG ASSURANCE)	ORDER OF
NORTH AMERICA, INC.)	SUSPENSION OF
)	CERTIFICATE OF
Certificate of Authority No. 3476)	AUTHORITY
NAIC No. 25771)	
_____)	

WHEREAS, CIFG ASSURANCE NORTH AMERICA, INC. ("CIFG") a New York domiciled company, licensed for property and casualty in the state of Idaho, had its certificate of authority suspended by an order filed December 9, 2008, and it is required to have capital of One Million Dollars (\$1,000,000) and surplus of One Million Dollars (\$1,000,000) pursuant to Idaho Code § 41-313; and as of June 30, 2009, CIFG reported a negative surplus as regards policyholders of Two Hundred Ninety Eight Million One Hundred Forty Six Thousand Nine Hundred Seventy-eight Dollars (-\$298,146,978), as reflected in its June 30, 2009 Statutory Financial Statement, and therefore no longer meets the requirements for maintaining surplus set

forth at Idaho Code § 41-313, and therefore does not meet the requirements for a certificate of authority in the state of Idaho; and

WHEREAS, CIFG has reported no direct premiums written in the state of Idaho during 2008 or the first two quarters of 2009.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of Idaho Code §§ 41-313(1) and 41-326(1)(b), that Certificate of Authority No. 3476, issued to CIFG, be SUSPENDED effective immediately; and said suspension be continued for a period of one (1) year from the date of this order. The director may terminate the suspension sooner if the cause for said suspension is terminated and CIFG is otherwise in compliance with the provisions of Title 41, Idaho Code.

IT IS FURTHER ORDERED, that CIFG comply with each of the requirements of Idaho Code § 41-329, including § 41-329(2) which states: “During the suspension period the insurer shall not solicit or write any new business in this state, but shall file its annual statement, pay fees, licenses, and taxes as required under this code, and may service its business already in force in this state, as if the certificate of authority had continued in force.”

NOTIFICATION OF RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5246(4), Idaho Code.

Pursuant to Sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
- iv. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of this final order, (b) of an order denying any petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See Section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED and EFFECTIVE this 7th day of November 2009.



WILLIAM W. DEAL, Director
Idaho Department of Insurance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this *2nd* day of November 2009, I caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Michael S. Knopf, General Counsel
CIFG Assurance North America, Inc.
825 Third Ave., 6th Floor
New York, NY 10022-7519

- first class mail
- certified mail
- hand delivery
- via facsimile

New York Department of Insurance
James J. Wrynn, Superintendent
One Commerce Plaza
Albany, NY 12257

- first class mail
- certified mail
- hand delivery
- via facsimile

Dave Edwards
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- hand delivery
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- first class mail
- certified mail
- hand delivery
- via facsimile



Teresa Jones
Assistant to the Director