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FILED 

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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:

FOX INSURANCE COMPANY

Certificate of Authority No. 3995
NAIC ID No. 10161

Docket No. 18-2600-10

**ORDER OF SUSPENSION OF
CERTIFICATE OF AUTHORITY**

WHEREAS, FOX INSURANCE COMPANY (“FOX”), an Arizona state domiciled life and disability insurer licensed in the state of Idaho only for Medicare Part D Prescription Drug Plan coverage, has had its Certificate of Authority suspended in its home state by order entered March 10, 2010, by the Director of the Arizona Department of Insurance, in Docket No. 10A-042-INS; and therefore does not meet the requirements for a certificate of authority in the state of Idaho;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to provisions of Idaho Code § 41-326(1)(d), that Certificate of Authority No. 3995 issued to FOX INSURANCE COMPANY

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 FOX is otherwise in compliance with the provisions of Title 41, Idaho Code.

IT IS FURTHER ORDERED that FOX 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.”

IT IS FURTHER ORDERED, pursuant to the provisions of Idaho Code § 41-330, that FOX, within four (4) days after notice of this suspension is received, notify, by any available means, every person authorized to write business by said insurance company in the state of Idaho, to immediately cease any further writing of such business.

IT IS FURTHER ORDERED, that FOX promptly return Certificate of Authority No. 3995 to the Idaho Department of Insurance, as required by Idaho Code § 41-323(2).

IT IS FURTHER ORDERED that, within sixty (60) days of the date of this order, FOX file with the Director a complete listing of its policies owned by or issued to residents of the State of Idaho. Such list shall include the name and address of each policyholder and insured, policy type, face amount, and cash surrender value of the policy, as applicable.

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 this 31ST day of March 2010.



WILLIAM W. DEAL
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 31st day of March 2010, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Fox Insurance Company
40 West 25th Street, 6th Floor
New York, NY 10010-2776

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

Arizona Department of Insurance
Christina Urias, Director
2910 N. 44th Street, Suite 210
Phoenix, AZ 85018-7269


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

Candie Kinch
Idaho Life & Health Guaranty Association
4700 N. Cloverdale Rd., Ste 204
Boise, ID 83713-1068
ckinch@idlifega.org

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

Thomas A. Donovan
Deputy Attorney General
Idaho Department of Insurance
P.O. Box 83720
Boise, ID 83720-0043

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



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