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Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

ACE FIRE UNDERWRITERS INSURANCE
COMPANY, a Pennsylvania-domiciled
insurance company holding Idaho Certificate
of Authority No. 473, NAIC No. 22713,

Respondent.

Docket No. 18-3975-21

**STIPULATION AND
ORDER DISMISSING ACTION**

COME NOW the staff of the Idaho Department of Insurance (“Department”) and ACE
FIRE UNDERWRITERS INSURANCE COMPANY (hereinafter “ACE FIRE
UNDERWRITERS”) and do hereby agree and stipulate as follows:

FINDINGS OF FACT

1. ACE FIRE UNDERWRITERS is a Pennsylvania-domiciled insurer authorized to
transact certain lines of insurance in the state of Idaho pursuant to Idaho Certificate of Authority

No. 840, initially issued on August 29, 1968. ACE FIRE UNDERWRITERS is subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho Department of Insurance promulgated thereunder.

2. The Director of the Department (“Director”) has jurisdiction over ACE FIRE UNDERWRITERS and the subject matter herein pursuant to provisions of the Idaho Insurance Code, Idaho Code §§ 41-101 *et seq.*

3. On October 12, 2021, the Department filed a Verified Complaint and Notice of Right to Hearing (hereinafter “Verified Complaint”), seeking imposition of administrative penalties.

4. The parties agree that this matter may be brought to a close by a negotiated and stipulated settlement and entry of this Stipulation and Order Dismissing Action.

AGREEMENT

5. Based upon the foregoing, ACE FIRE UNDERWRITERS and the Department stipulate and agree as follows:

- a. ACE FIRE UNDERWRITERS admits to violating Idaho Code § 41-1812(1).
- b. ACE FIRE UNDERWRITERS and the Department agree that ACE FIRE UNDERWRITERS should pay an administrative penalty of \$3,000.
- c. ACE FIRE UNDERWRITERS and the Department agree that, upon payment of the administrative penalty, this action should be dismissed with prejudice.

6. By entering into this Stipulation, ACE FIRE UNDERWRITERS knowingly and voluntarily waives any rights it would otherwise have to notice and a hearing at which he may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive

their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

7. The parties agree that the terms of this Stipulation and Order Dismissing Action are appropriate and proper under the circumstances referenced herein.

8. ACE FIRE UNDERWRITERS acknowledges that it has read this Stipulation and Order Dismissing Action and understands its contents; that it has been given the opportunity to discuss this Stipulation and Order Dismissing Action with independent legal counsel of its choosing; and that it has entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights it may be waiving thereby.

9. ACE FIRE UNDERWRITERS acknowledges that this is an administrative action that may be required to be reported on license applications and license renewal forms and disclosed to other agencies through which ACE FIRE UNDERWRITERS holds a license.

10. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department and ACE FIRE UNDERWRITERS upon such approval. Should the Director decline to approve this Stipulation and Order Dismissing Action, the Department and ACE FIRE UNDERWRITERS shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by ACE FIRE UNDERWRITERS herein shall be withdrawn.

11. This Stipulation constitutes the full and final resolution of all matters addressed herein, and the Department agrees that, subject to the Director's approval described above, the Department shall seek no further civil or administrative sanctions for the violations alleged in the Verified Complaint, Docket No. 18-3975-21, subject to the agreement set forth in Paragraph 5 above.

12. ACE FIRE UNDERWRITERS agrees that, upon execution of this Stipulation and Order Dismissing Action, no subsequent action or assertion shall be maintained or pursued in any manner asserting the invalidity of this Stipulation and Order Dismissing Action and its provisions.

13. This Stipulation and Order Dismissing Action embodies the entire agreement between the Department and ACE FIRE UNDERWRITERS, and there are no agreements, understandings, representations, or warranties that are not expressly set forth herein.

14. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Order Dismissing Action shall be a public record under the Idaho Public Records Act.

AGREED this 19th day of January, 2022.

ACE FIRE UNDERWRITERS INSURANCE COMPANY

DocuSigned by:
Paul Franklin
By: B40D4DE6FB7C436...
Its: Exec Vice President

Approved as to Form:

DocuSigned by:
James Scott Sanpietro
A045872FC3014AF...
J. Scott Sanpietro
Attorney for ACE FIRE UNDERWRITERS INSURANCE COMPANY

AGREED this 19th day of January, 2022.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: 
SHANNON HOHL
Bureau Chief
Market Oversight Bureau

Approved as to Form:

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: 
Michael Witry
Deputy Attorney General
Attorney for the Department of Insurance

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and ACE FIRE UNDERWRITERS INSURANCE COMPANY, having entered into the foregoing Stipulation, and the form of the order having been approved, the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein.

NOW, THEREFORE, based on the foregoing and in consideration of the premises,

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that this action is hereby DISMISSED.

DATED this 20th day of January, 2022.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

NOTICE REGARDING REPORTABLE PROCEEDINGS

The foregoing is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies for which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. You should be aware that this proceeding must be disclosed on any insurance license application and must be reported to any and all states in which you hold an insurance license.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 20th day of January, 2022, I caused a true and correct copy of the foregoing, fully-executed STIPULATION AND ORDER DISMISSING ACTION to be served upon the following by the designated means:

J. Scott Sanpietro
General Counsel, North America
The Chubb Group
436 Walnut St
Philadelphia, PA 19106

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

Michael Witry
Deputy Attorney General
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Boise, ID 83720-0043

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- certified mail
- hand delivery
- via facsimile



Pamela Murray