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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**

In the Matter of:

CASTLEPOINT NATIONAL INSURANCE  
COMPANY,

Certificate of Authority No. 1600  
NAIC No. 40134

Docket No. 18-3188-19

**ORDER REVOKING CERTIFICATE  
OF AUTHORITY**

Idaho Certificate of Authority No. 1600 issued to CASTLEPOINT NATIONAL INSURANCE COMPANY (“CASTLEPOINT”), a California-domiciled insurer licensed to transact casualty insurance, excluding workers’ compensation; marine and transportation insurance; property insurance; and surety insurance in the state of Idaho under said certificate of authority, was suspended by the Director of the Idaho Department of Insurance (“Director”) by orders entered September 7, 2016, August 1, 2017, and June 25, 2018.

Pursuant to Idaho Code §§ 41-324(1) and 41-335(1), among other requirements, to continue its Idaho certificate of authority, an insurer is required by March 1 of each year to pay a

continuation fee and to file an annual financial statement for the preceding calendar year. Any certificate of authority not so continued by the insurer shall expire. Idaho Code § 41-324(2).

According to records of the Idaho Department of Insurance (“Department”), CASTLEPOINT failed to file its annual statement for calendar years 2015, 2016, 2017, and 2018. Further, CASTLEPOINT failed to pay the required annual continuation fee for calendar years 2017, 2018, and 2019.

On March 30, 2017, CASTLEPOINT was placed into liquidation by order of the Superior Court of the State of California, City and County of San Francisco, in Case No. CPF-16-515183, based on the petition of the Insurance Commissioner for the State of California. Such liquidation order included findings by the court that CASTLEPOINT is statutorily and legally insolvent.

Idaho Code § 41-326 provides at subsection (1)(b) that the Director shall refuse to continue or shall suspend or revoke a foreign insurer’s Idaho certificate of authority if the insurer “no longer meets the requirements for the authority, on account of deficiency of assets or otherwise.” It further provides, at subsection (2), that, in cases of insolvency, the Director may take such action without first holding a hearing.

The Director, having reviewed the foregoing and the requirements of Idaho Code §§ 41-324, 41-335, and 41-326, hereby finds that Certificate of Authority No. 1600 issued to CASTLEPOINT is EXPIRED pursuant to Idaho Code § 41-324(2), and further finds that CASTLEPOINT is insolvent, as defined in Idaho Code § 41-3303(11)(b)(1).

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-326(1)(b), that Certificate of Authority No. 1600 issued to CASTLEPOINT is REVOKED effective immediately.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-330(1), that, within four (4)

days after notice of this revocation is provided, CASTLEPOINT shall notify, by any available means, every person authorized to write business in the state of Idaho by said insurance company, to immediately cease to write any further insurance business for CASTLEPOINT in Idaho.

IT IS FURTHER ORDERED that CASTLEPOINT shall promptly return Certificate of Authority No. 1600 to the Idaho Department of Insurance, as required by Idaho Code § 41-323(2).

DATED this 10 day of May, 2019.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



DEAN L. CAMERON  
Director

**NOTIFICATION OF RIGHTS**

This is a final order of the Director. 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 motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review 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.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 10<sup>th</sup> day of May, 2019, I caused a true and correct copy of the foregoing ORDER REVOKING CERTIFICATE OF AUTHORITY to be served upon the following by the designated means:

Castlepoint National Insurance Company  
101 California Street, Floor 36  
San Francisco, CA 94111-5843

- first class mail
- certified mail
- hand delivery

California Department of Insurance  
Ricardo Lara, Commissioner  
300 Capitol Mall, 17<sup>th</sup> Floor  
Sacramento, CA 95814

- first class mail
- certified mail
- hand delivery

California Conservation & Liquidation Office  
Attn: Joe Holloway, Estate Manager  
[HollowayJ@caclo.org](mailto:HollowayJ@caclo.org)

- first class mail
- certified mail
- email

Idaho Guaranty Association  
Western Guaranty Fund Services  
Attn: Chad Anderson, President  
[canderson@wgfs.org](mailto:canderson@wgfs.org)

- first class mail
- certified mail
- email

Edith L. Pacillo  
Lead Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

- first class mail
- certified mail
- hand delivery

  
Pamela Murray