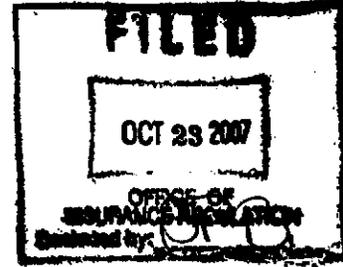




OFFICE OF INSURANCE REGULATION



KEVIN M. McCARTY  
COMMISSIONER

IN THE MATTER OF:

CASE NO: 91447-07-CO

**FIRST PROFESSIONALS INSURANCE  
COMPANY, INC.**

2005 Market Conduct Examination

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**CONSENT ORDER**

THIS CAUSE came on for consideration upon the agreement between FIRST PROFESSIONALS INSURANCE COMPANY, INC. (hereinafter referred to as "FIRST PROFESSIONALS") and the OFFICE OF INSURANCE REGULATION (hereinafter referred to as the "OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the COMMISSIONER OF THE OFFICE OF INSURANCE REGULATION hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of, and parties to, this proceeding.
2. FIRST PROFESSIONALS is a domestic property and casualty insurer authorized to transact insurance business in Florida and is subject to the jurisdiction and regulation of the OFFICE pursuant to the Florida Insurance Code.
3. The OFFICE conducted a market conduct examination of FIRST PROFESSIONALS pursuant to Section 624.3161, Florida Statutes, in 2005, and as a result of

that examination it contends that FIRST PROFESSIONALS has violated the following provisions of the Florida Insurance Code and/or Florida Administrative Code, to wit:

Medical Malpractice

Section 627.912, Florida Statutes – Failure to Timely Report Closed Claims.

Section 627.912, Florida Statutes – Failure to Accurately Report Closed Claims.

4. FIRST PROFESSIONALS expressly waives a hearing in this matter, the making of Findings of Fact and Conclusions of Law by the OFFICE, and all further and other proceedings herein to which the parties may be entitled by law. FIRST PROFESSIONALS hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order, in any forum, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. FIRST PROFESSIONALS agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

(a) FIRST PROFESSIONALS shall pay a penalty of \$3,750 and administrative costs of \$3,000 on or before the 30th day after this Consent Order is executed.

(b) FIRST PROFESSIONALS shall henceforth comply with all of the provisions of the Florida Insurance Code and the Florida Administrative Code.

(c) FIRST PROFESSIONALS is hereby placed on notice of the requirements of the above referenced sections of law and agrees that any future violations of these sections by FIRST PROFESSIONALS may be deemed willful, subjecting FIRST PROFESSIONALS to appropriate penalties.

(d) FIRST PROFESSIONALS shall, within 30 days of the execution of the Consent Order, provide to the OFFICE certification by an officer of the Company that all necessary corrective actions have been completed.

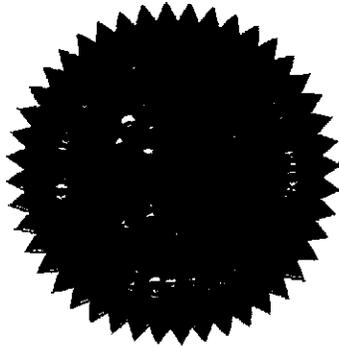
6. FIRST PROFESSIONALS agrees that the failure to adhere to one or more of the above terms and conditions of this Consent Order shall constitute a violation of a lawful order of the OFFICE, and shall subject FIRST PROFESSIONALS to such administrative action as the OFFICE may deem appropriate.

7. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

THEREFORE, the agreement between FIRST PROFESSIONALS and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions contained herein are hereby ORDERED.

DONE AND ORDERED this 23RD day of OCTOBER, 2007.



\_\_\_\_\_  
KEVIN M. McCARTY  
Commissioner  
Office of Insurance Regulation

By execution hereof, FIRST PROFESSIONALS INSURANCE COMPANY, INC. consents to entry of this Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions therein. The undersigned represents that he or she has the authority to bind FIRST PROFESSIONALS INSURANCE COMPANY, INC. to the terms and conditions of this Consent Order.

FIRST PROFESSIONALS INSURANCE COMPANY, INC.

[Corporate Seal]

By: \_\_\_\_\_

Print Name: LOU SICILIAN

Title: SENIOR VICE-PRESIDENT & TREASURER

Date: 10/10/07

STATE OF Florida

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of October, 2007, by Lou Sicilian, who is personally known to me or has produced the following identification \_\_\_\_\_.



ALETA M. TOWLES  
Commission DQ 837747  
Expires May 9, 2011  
Bonded Thru Troy Fen Insurance 800-686-7018

Signature of Notary

Aleta M. Towles

Print or Type Name

My Commission Expires: May 9, 2011

COPIES FURNISHED TO:

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