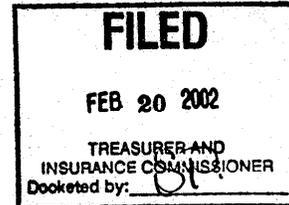




THE TREASURER OF THE STATE OF FLORIDA
DEPARTMENT OF INSURANCE



TOM GALLAGHER

IN THE MATTER OF:

CASE NO.: 43336-01-CO

GUIDEONE ELITE INSURANCE COMPANY

2001 Property and Casualty Market Conduct
Examination

CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between GUIDEONE ELITE INSURANCE COMPANY, hereinafter referred to as GUIDEONE, and the FLORIDA DEPARTMENT OF INSURANCE, hereinafter referred to as the DEPARTMENT. Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the DEPARTMENT, hereby finds as follows:

1. The DEPARTMENT, has jurisdiction over the subject matter of, and parties to, this proceeding.
2. GUIDEONE is a foreign property and casualty insurer authorized to transact insurance business in Florida and is

subject to the jurisdiction and regulation of the DEPARTMENT pursuant to the Florida Insurance Code.

3. The DEPARTMENT conducted a property and casualty market conduct examination of GUIDEONE covering the period of January 2000 through March 2001, pursuant to Section 624.3161, Florida Statutes. As a result of such examination, the DEPARTMENT determined that GUIDEONE committed the following violations of the Florida Insurance Code or Florida Administrative Code as outlined in total in the Fine Worksheet provided with the Report of Examination Findings:

a. Private Passenger Automobile

1. Section 626.9541, F.S.-Failure to Comply with Unfair Trade Practice Requirements-Transfer Business.
2. Section 627.0651, F.S.-Failure to Follow Filed Rate, Rating Schedule, Rating Rule or Underwriting Guideline (PPA)-Eligibility Requirements.
3. Section 627.727, F.S.-Failure to Offer/Obtain/Maintain Signed UM Acceptance/Rejection Form.
4. Section 627.7295, F.S.-Failure to Comply with Cancellations Requirements for Policies in Effect Less Than 60 Days-Premium Deposit.
5. Section 627.739, F.S.-Failure to Comply with PIP Coverage Requirements.

b. Agents/MGA

1. Section 626.112, F.S.-Use of Unappointed Agent.

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

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

(a) GUIDEONE shall pay an administrative penalty of \$6,000 and administrative costs of \$1,000 on or before the 30th day after this Consent Order is executed.

(b) GUIDEONE shall henceforth comply with all of the provisions of the Florida Insurance Code, Florida Administrative Code and implement policies and procedures that will preclude the recurrence of violations contained in the examination report. These policies and procedures shall be made available to the DEPARTMENT for review upon request. Within 90 days after

execution of this Consent Order, **GUIDEONE** shall both implement the recommendations contained in this report, and submit confirmation, in writing, to the **DEPARTMENT** that all directives contained in the report have been met, including all refunds made.

(c) **GUIDEONE** 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 **GUIDEONE** may be deemed willful, subjecting **GUIDEONE** to appropriate penalties.

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

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

8. **THEREFORE**, the agreement between **GUIDEONE ELITE INSURANCE COMPANY** and the **DEPARTMENT**, the terms and conditions of that are set forth above, is approved.

FURTHER, all terms and conditions above are hereby
ORDERED.

DONE AND ORDERED this 20TH day of FEBRUARY, 2002.



KEVIN MCCARTY
DEPUTY INSURANCE COMMISSIONER

By execution hereof GUIDEONE ELITE INSURANCE COMPANY
consents to entry of this Order, agrees without reservation to
all of the above terms and conditions, and shall be bound by all
provisions herein. I am authorized to execute this document.

GUIDEONE ELITE INSURANCE COMPANY

By: James D. Wallace
Title: President & CEO
Date: 1/10/02

COPIES FURNISHED TO:

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