



FILED

MAR 29 2016

OFFICE OF INSURANCE REGULATION

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INSURANCE REGULATION
Docketed by: QSA

KEVIN M. MCCARTY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 169713-15

LEAGUE FOR THE EDUCATIONAL AWARENESS
OF THE HOLOCAUST, INC.
d/b/a LEAGUE FOR THE EDUCATIONAL
ADVANCEMENT OF HUMAN RIGHTS

INITIAL CEASE AND DESIST ORDER

TO: League for the Educational Awareness of the Holocaust, Inc.
d/b/a League for the Educational Advancement of Human Rights
4400 N. Federal Highway, #201
Boca Raton, Florida 33431

YOU ARE HEREBY NOTIFIED that pursuant to Section 627.481, Florida Statutes, the Florida Office of Insurance Regulation (hereinafter referred to as the "OFFICE") had cause to make an investigation of certain annuity insurance related activities of the LEAGUE FOR THE EDUCATIONAL AWARENESS OF THE HOLOCAUST, INC. (hereinafter referred to as the "LEAH") in the state of Florida and as a result finds as follows:

1. The OFFICE has jurisdiction over the subject matter and of the parties herein.
2. LEAH was a non-profit corporation domiciled in the state of Florida and is registered to issue donor annuities in the state of Florida pursuant to Section 627.481, Florida Statutes.
3. Rule 69O-202.012(1), Florida Administrative Code, provides as follows: "Within 60 days of the end of each fiscal year, each qualifying issuer of donor annuity agreements in this

state must submit a sworn statement on the form prescribed by the Office in Form OIR-A3-1209, Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements, adopted in paragraph 69O-202.015(1)(c), F.A.C., attesting that the issuer has met all requirements of law.”

4. LEAH filed its notification to the OFFICE as a qualifying issuer of donor annuity agreements pursuant to Section 627.481, Florida Statutes, on April 18, 2012.

5. LEAH has failed to file its Sworn Statement in Lieu of Annual Statements for Issuers of Donor Annuity Agreements for the fiscal years 2012, 2013, 2014, and 2015. Letters, e-mails, and notices sent to LEAH by the OFFICE regarding LEAH’s failure to file such statements have been returned as undeliverable. LEAH was administratively dissolved by the Florida Department of State, Division of Corporations, on September 27, 2013.

6. THEREFORE, the OFFICE intends to issue a Final Cease and Desist Order providing as follows:

a. Pursuant to Section 627.481(6), Florida Statutes, the registration of LEAH as an issuer of donor annuities in Florida is hereby withdrawn and LEAH shall immediately cease and desist writing any new donor annuity business in the State of Florida.

b. LEAH shall honor all current and future obligations and liabilities arising from annuities issued in the state of Florida, if any, and will pay all obligations and liabilities which have arisen or may arise from its operations in the state of Florida. In the event that any court or administrative action or any arbitration, mediation or other judicial or quasi-judicial action listing LEAH as a party is filed in the state of Florida, LEAH shall provide written notice to the OFFICE within thirty (30) days of the filing of said action.

c. The OFFICE shall retain continuing jurisdiction over LEAH or its successor to enforce the provisions of the Florida Insurance Code applicable to the satisfaction of past, current or future claims, liabilities or other obligations of LEAH that have arisen or may arise in the state of Florida, and to enforce the provisions of this Order.

WHEREFORE, subject to the terms and conditions set forth above, LEAH is hereby notified that, based upon the foregoing allegations, the OFFICE intends to issue a Final Cease and Desist Order to the LEAGUE FOR THE EDUCATIONAL AWARENESS OF THE HOLOCAUST, INC.

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

DONE and ORDERED this 29th day of March, 2016.





Kevin M. McCarty, Commissioner
Office of Insurance Regulation

NOTICE OF RIGHTS

Pursuant to Sections 120.569 and 120.57, Florida Statutes and Rule Chapters 28-106, Florida Administrative Code (F.A.C.), you have a right to request a proceeding to contest this action by the Office of Insurance Regulation (hereinafter the "Office"). You may request a proceeding by filing a Petition. Your Petition must be in writing and must be filed with the General Counsel acting as the Agency Clerk, Office of Insurance Regulation. If served by U.S. Mail the Petition should be addressed to the Florida Office of Insurance Regulation at 647 Larson Building, Tallahassee, Florida 32399-4206. If Express Mail or hand delivery is utilized, the Petition should be delivered to 647 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300. The written Petition must be received by, and filed in the Office no later than 5:00 p.m. on the twenty-first (21) day after your receipt of this notice. Unless your Petition challenging this action is received by the Office within twenty-one (21) days from the date of the receipt of this notice, the right to a proceeding shall be deemed waived. Mailing the response on the twenty-first day will not preserve your right to a hearing.

If a proceeding is requested and there is no dispute of material fact the provisions of Section 120.57(2), Florida Statutes would apply. In this regard you may submit oral or written evidence in opposition to the action taken by this agency or a written statement challenging the grounds upon which the agency has relied. While a hearing is normally not required in the absence of a dispute of fact, if you feel that a hearing is necessary one will be conducted in Tallahassee, Florida or by telephonic conference call upon your request.

If you dispute material facts which are the basis for this agency's action you may request a formal adversarial proceeding pursuant to Sections 120.569 and 120.57(1), Florida Statutes. If you request this type of proceeding, the request must comply with all of the requirements of Rule Chapter 28-106.2015, F.A.C., including but not limited to:

- a) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so state; and
- b) A statement of when the respondent received notice of the agency's action.

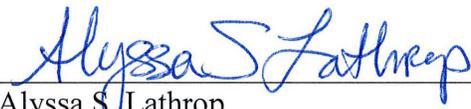
These proceedings are held before a State Administrative Law Judge of the Division of Administrative Hearings. Unless the majority of witnesses are located elsewhere the Office will request that the hearing be conducted in Tallahassee.

In some instances, you may have additional statutory rights than the ones described herein.

Failure to follow the procedure outlined with regard to your response to this notice may result in the request being denied. Any request for administrative proceeding received prior to the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing INITIAL CEASE AND DESIST ORDER has been furnished by U.S. Certified Mail, Return Receipt Requested, to League for the Educational Awareness of the Holocaust, Inc., d/b/a League for the Educational Advancement of Human Rights, 4400 N. Federal Highway, #201, Boca Raton, Florida 33431, this 29th day of March 2016.


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