

FILED

JUL 18 2012

Decketed by: KT



OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
COMMISSIONER

IN THE MATTER OF:  
PACIFIC LIFE INSURANCE COMPANY  
2011 Freedom to Travel Survey

CASE NO: 125625-12

CONSENT ORDER

THIS CAUSE came on for consideration upon the agreement between PACIFIC LIFE INSURANCE COMPANY (hereinafter referred to as "PACIFIC") 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 OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of, and parties to, this proceeding.
2. PACIFIC is a foreign 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 required the submission of an electronic survey of PACIFIC pursuant to Rule 690-125.003(8), Florida Administrative Code. As a result of such survey the OFFICE has determined that PACIFIC has violated the following provision of the Florida Insurance Code:
  - a. Section 626.9541(1)(dd), Florida Statutes- Refusal of life insurance; refusal to continue the life insurance of; or limiting the amount, extent, or kind of life insurance

coverage available to an individual based solely on the individual's past or future lawful foreign travel plans.

4. PACIFIC 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 or rules of the OFFICE. PACIFIC hereby knowingly and voluntarily waives all rights to challenge or to contest this Order, in any forum now or in the future available to it, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

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

a. PACIFIC is assessed an administrative penalty of Fifteen Thousand Dollars (\$15,000). Seven Thousand Five Hundred (\$7,500) of the penalty is waived due to PACIFIC's self-reporting of the violation. The Seven Thousand Five Hundred (\$7,500) penalty and administrative costs of Three Thousand Dollars (\$3,000) shall be paid within thirty (30) days of the execution of this Consent Order.

b. PACIFIC shall provide to the OFFICE a certification signed by an officer of the Company that corrective action has been completed and that it has reviewed its internal policies to avoid future violations of this statute, within thirty (30) days of the execution of this Consent Order.

6. PACIFIC is hereby placed on notice of the requirements of the above referenced sections of law and rules, and agrees that any future violations of these sections or rules by PACIFIC may be deemed willful, subjecting PACIFIC to appropriate penalties.

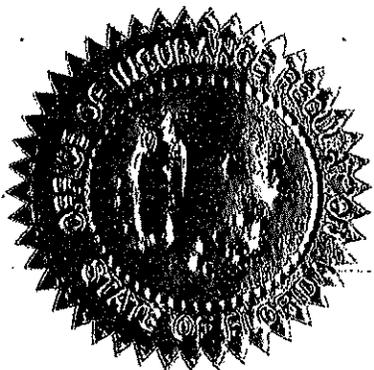
7. PACIFIC agrees that the failure to adhere to one or more of the terms and conditions of this Order shall constitute a violation of a lawful order of the OFFICE and shall subject PACIFIC to such administrative action as the OFFICE may deem appropriate.

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

THEREFORE, the agreement between PACIFIC LIFE INSURANCE COMPANY and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions above are hereby ORDERED.

DONE AND ORDERED this 18<sup>th</sup> day of JULY, 2012.



A handwritten signature in black ink, appearing to read "Kevin M. McCarty". The signature is written over a horizontal line.

KEVIN M. McCARTY  
Commissioner  
Office of Insurance Regulation

**COPIES FURNISHED TO:**

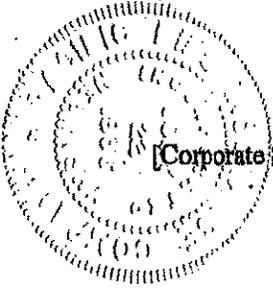
**James Thomas Morris, Chairman, President CEO  
Pacific Life Insurance Company  
700 Newport Center Drive  
Newport Beach, CA 92660**

**James Pafford, Director  
Market Investigations  
Office of Insurance Regulation  
200 E. Gaines Street, Room 216E  
Tallahassee, FL 32399-4210**

**Amanda Allen  
Legal Services Office  
Office of Insurance Regulation  
200 E. Gaines Street  
Tallahassee, FL 32399-4206**

By execution hereof, PACIFIC LIFE 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 therein. The undersigned represents that he or she has the authority to bind PACIFIC LIFE INSURANCE COMPANY to the terms and conditions of this Consent Order.

PACIFIC LIFE  
INSURANCE COMPANY



[Corporate Seal]

By:

*Carolyn J. Middlebrooks*

Print Name:

CAROLYN J. MIDDLEBROOKS

Title:

VICE PRESIDENT

Date:

6-28-12

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

*see attached CA form* *Notarial*

The foregoing instrument was acknowledged before me this 6-28-12 day of June, 2012, by \_\_\_\_\_, who is personally known to me or has produced the following identification \_\_\_\_\_

[Notarial Seal]

\_\_\_\_\_  
Signature of Notary

\_\_\_\_\_  
Print or Type Name

My Commission Expires:

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

State of California

County of Orange

On June 28, 2012 before me, Betty T. Tabali, Notary

personally appeared Carolyn J Middlebrooks

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: Betty T. Tabali

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Consent Order

Document Date: June 28, 2012 Number of Pages: 5

Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

Corporate Officer — Title(s):

Individual

Partner — Limited General

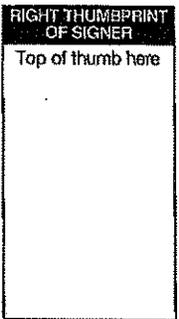
Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:



Signer's Name:

Corporate Officer — Title(s):

Individual

Partner — Limited General

Attorney in Fact

Trustee

Guardian or Conservator

Other:

Signer Is Representing:

