

OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY
COMMISSIONER

FILED

MAR 13 2006

Notated by: SPB

IN THE MATTER OF:

TRUCK INSURANCE EXCHANGE

2005 Market Conduct Examination

CASE NO: 89208-07-CO

CONSENT ORDER

THIS CAUSE came on for consideration upon the agreement between TRUCK INSURANCE EXCHANGE (hereinafter referred to as "TRUCK INSURANCE") 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. TRUCK INSURANCE is a foreign 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 TRUCK INSURANCE, pursuant to Section 624.3161, Florida Statutes, in 2005, and as a result of that examination it has been determined that TRUCK INSURANCE, 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. TRUCK INSURANCE 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. TRUCK INSURANCE 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. TRUCK INSURANCE agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

(a) TRUCK INSURANCE shall pay a penalty of \$52,500 and administrative costs of \$3,000 on or before the 30th day after this Consent Order is executed.

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

(c) TRUCK INSURANCE 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 TRUCK INSURANCE may be deemed willful, subjecting TRUCK INSURANCE to appropriate penalties.

(d) TRUCK INSURANCE 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. TRUCK INSURANCE 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 TRUCK INSURANCE to such administrative action as the OFFICE may deem appropriate.

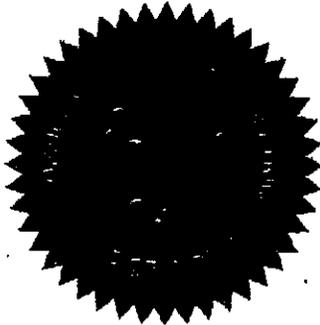
7. This Consent Order represents full and complete resolution of all issues raised in connection with the Market Conduct Examination for the period covering June 1, 2004 through September 29, 2005.

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

THEREFORE, the agreement between TRUCK INSURANCE 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.

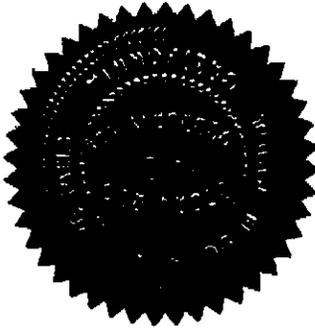
DONE AND ORDERED this 13TH day of MARCH, 2007.



KEVIN M. McCARTY
Commissioner
Office of Insurance Regulation

By execution hereof, TRUCK INSURANCE EXCHANGE 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 TRUCK INSURANCE EXCHANGE to the terms and conditions of this Consent Order.

TRUCK INSURANCE EXCHANGE



By: _____

Print Name: RON MYHREN

Title: SR. VP & TREASURER

Date: 2/16/07

STATE OF California

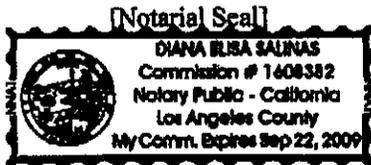
COUNTY OF Los Angeles

The foregoing instrument was acknowledged before me this 16th day of February, 2007, by Ron Myhren, who is personally known to me or has produced the following identification _____.

Signature of Notary

Diana Elisa Salinas

Print or Type Name



My Commission Expires: September 22, 2009

COPIES FURNISHED TO:

STANLEY R. SMITH, VICE-PRESIDENT

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