

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



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2011 SEP 28 A 11:48

OFFICE OF
INSURANCE COMMISSIONER

Hearings Unit, DiC
Patricia D. Petersen
Chief Hearing Officer

IN THE MATTER OF

FIDELITY NATIONAL TITLE
INSURANCE COMPANY, CHICAGO
TITLE INSURANCE COMPANY, and
COMMONWEALTH LAND TITLE
INSURANCE COMPANY,

Respondents.

ORDER NO. 11-0158

ORDER TO CEASE AND DESIST

To: The above Respondents

Michael J. Rich, Vice President and Regulatory Counsel
Fidelity National Title Group, Inc.

601 Riverside Avenue
Jacksonville, Florida 32204-7108

Pursuant to RCW 48.01.020, 48.02.080, RCW 48.29.210, the Office of the Insurance Commissioner ("OIC") orders Fidelity National Title Insurance Company, Chicago Title Insurance Company, and Commonwealth Land Title Insurance Company, their respective officers, directors, trustees, agents, employees, and affiliates ("Respondents" or "the Companies") to immediately cease and desist from:

Offering discounts to producers of title insurance business and associates of producers of title insurance business, through EC Purchasing or otherwise, in violation of RCW 48.29.210(2).

THIS ORDER IS BASED ON THE FOLLOWING:

Employees and agents of Respondents offer their producer customers with the opportunity to register for membership in EC Purchasing, a subsidiary of Fidelity National Title Group, Inc. Members of EC Purchasing receive discounts on a wide array of products and services. Representatives of the Companies are the gatekeepers for producers requesting membership in EC Purchasing. Membership is granted by the title companies' employees and is generally restricted to the financial, real estate, and legal professions.

RCW 48.29.210(2) prohibits a title insurer, title insurance agent or other representative of a title insurer or title insurance agent from, directly or indirectly, giving anything of value to any person in a position to refer or influence the referral of title insurance business to either the title insurance company or title insurance agent, or both, except as permitted under rules adopted by the Commissioner. A discount is a thing of value as defined in WAC 284-29-205(12).

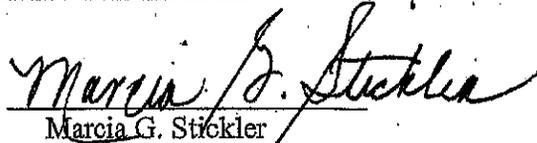
Any violation of the terms of this Order by Respondents, their officers, directors, agents, or affiliates, will render the violator(s) subject to the full penalties authorized by the Washington Insurance Code.

Respondents have the right to demand a hearing pursuant to chapters 48.04 and 34.05 RCW. This Order shall remain in effect subject to the further order of the Commissioner.

THIS ORDER IS EFFECTIVE IMMEDIATELY AND IS ENTERED at Tumwater, Washington, this 29th day of June 2011.

MIKE KREIDLER
Insurance Commissioner

By:



Marcia G. Stickler
Legal Affairs Division
Office of Insurance Commissioner
State of Washington

CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the State of Washington as follows:

I am now and at all times herein mentioned have been a citizen of the United States and a resident of the State of Washington. I am over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein. On the date given below I caused to be served the foregoing ORDER TO CEASE AND DESIST on the following individuals via US Mail.

Michael J. Rich, Vice President and Regulatory Counsel
Fidelity National Title Group, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204-7108

SIGNED this 29th day of June 2011, at Tumwater, Washington.

Jodie Thompson
Jodie Thompson