MIKE KREIDLER
STATE INSURANCE COMMISSIONER

DECLARATION OF MAILING
I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery of a true copy of this document to parties listed below
DATED this 15th day of Sept. 2006.
at Tumwater, Washington.
Signed: Wendy Galloway

STATE OF WASHINGTON

OFFICE OF
INSURANCE COMMISSIONER

HEARINGS UNIT
Fax: (360) 664-2782

Phone: (360) 725-7000

FILED

2006 SEP 15 A 11: 02

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Wendy Galloway
Paralegal
WendyG@OIC.wa.gov.
(360) 725-7002

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of: **UNUM LIFE INSURANCE COMPANY OF AMERICA,** An Authorized Insurer.	**NO. D06-197** **ORDER TERMINATING PROCEEDING**

TO: Elizabeth H. Simon, Asst. Vice President & Counsel
Unum Insurance Company of America
1 Fountain Square
Chattanooga, Tennessee 37402

Joan Sarles Lee
Vice President and Managing Counsel
UnumProvident Corporation
2211 Congress Street C469
Portland, ME 04122

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
James T. Odiorne, Deputy Commissioner, Company Supervision
Carol Sureau, Deputy Commissioner, Legal Affairs
Marcia G. Stickler, Staff Attorney, Legal Affairs
P.O. Box 40255
Olympia, Washington 98504-0255

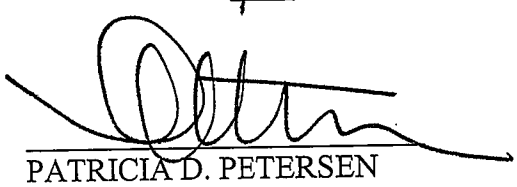
On June 15, 2006, the Insurance Commissioner (Commissioner) received a request for hearing from Unum Life Insurance Company (Unum Life). In the subject request for hearing, filed pursuant to RCW 48.04 and 34.05 RCW, Unum Life appeals the act of the Commissioner in offering to Unum Life proposed Consent Order Imposing a Fine for Unum Life's agreement to settlement conditions for alleged violations stated therein, along with the statement in his accompanying May 17, 2006 letter. Elizabeth Simon, Asst. Vice President and Counsel, and Joan Lee, Vice President and Managing Counsel of UnumProvident Corporation, represented Unum Life. The Insurance Commissioner appeared pro se by and through Marcia Stickler, Staff Attorney for Legal Affairs.

On September 14, 2006, a Request to Withdraw hearing was filed by Unum Life, by Elizabeth Simon, its Counsel, stating that the Commissioner withdrew the proposed Consent Order; therefore a hearing in this matter is no longer necessary. A copy of the Request for Withdrawal and the September 7, 2006 letter from Marcia Stickler, Staff Attorney for the Legal Affairs Division, are attached hereto and are by this reference incorporated herein.

Based upon the above activity:

IT IS HEREBY ORDERED that this proceeding, Docket No. D06-197, is hereby terminated.

ENTERED this 15th day of September, 2006, at Tumwater, Washington.



PATRICIA D. PETERSEN
Chief Hearing Officer

UNUMPROVIDENT

FILED

2006 SEP 14 A 10: 01

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

September 11, 2006

Ms. Wendy Galloway, Hearings Unit
Washington Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

Re: In the Matter of: Unum Life Insurance Company of America, No. D06-197

Dear Ms. Galloway:

Please be advised that Unum Life Insurance Company of America ("Unum") is withdrawing its request for a hearing in the matter of Unum Life Insurance Company of America, No. D06-197. The hearing was scheduled for October 2, 2006.

The OIC has informed Unum that it is withdrawing the proposed Consent Order; therefore, a hearing on this matter is not necessary. I have attached the letter from Marcia Stickler informing Unum of its decision.

Thank you for your assistance and cooperation in this matter. If you have any questions, please do not hesitate to contact me at (423) 294-8058.

Very truly yours,

Elizabeth H. Simon
Assistant Vice President and Counsel

EHS/nt
385481

cc: Ms. Marcia Stickler, Staff Attorney for Legal Affairs
Washington Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

Phone: (360) 725-7000

OFFICE OF
INSURANCE COMMISSIONER

RECEIVED
SEP 11 2006
LAW DEPT.

September 7, 2006

Elizabeth H. Simon, Assistant Vice-President and Counsel
Unum Provident Corporation
1 Fountain Square
Chattanooga, Tennessee 37402

RE: Unum Life Insurance Company of America
Proposed Consent Order No. D06-197

Dear Ms. Simon:

I am pleased to inform you that the Office of the Insurance Commissioner has decided to withdraw the proposed Consent Order noted above. Unbeknownst to the Legal Affairs Division until quite recently, the requirement as of October 15, 2000 for filing of out-of-state group certificates was enforced by OIC prospectively only. Since Unum Life already had out-of-state certificates distributed as of that date, we are declining to pursue the matter in order to maintain consistency in enforcement. I'm so sorry I did not have this information sooner so we both could have saved lots of time and effort.

In any event, thank you for always being so pleasant and cooperative throughout this process. Please feel free to contact me if you have any questions.

Sincerely,

Marcia G. Stickler

Marcia G. Stickler
Staff Attorney
Legal Affairs Division
360-725-7048
360-586-0152 (facsimile)
marcias@oic.wa.gov