

STATE OF WASHINGTON

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MIKE KREIDLER
STATE INSURANCE COMMISSIONER



OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

Fax: (360) 664-2782

FILED

2006 JUL 25 A 10:56

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 25th day of July 2006 at Tumwater, Washington.

Signed: Wendy Galloway

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

Wendy Galloway
Paralegal
(360) 725-7002
wendyg@oic.wa.gov

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)

UNITED STATES LIFE INSURANCE)
COMPANY IN THE CITY OF)
NEW YORK,)

An Authorized Insurer.)

NO. G05-66 & D06-152

ORDER TERMINATING
PROCEEDING

To: U.S. Life Insurance Company in the City of New York
830 Third Avenue, 7th Floor
New York, New York 10022

And To: Timothy Parker, Esq.
Carney Badley Spellman
701 Fifth Avenue, Suite 3600
Seattle, Washington 98104-7010

Copy To: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
James T. Odiorne, Deputy Insurance Commissioner, Co. Supervision
Carol Sureau, Deputy Commissioner, Legal Affairs
Marcia Stickler, Staff Attorney, Legal Affairs
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255



ORDER TERMINATING PROCEEDING

NO. G05-66 & D06-152

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On November 21, 2006, U.S. Life Insurance Company of the City of New York, (USLIC), by and through Timothy Parker, Esq., of Carney Badley Spellman in Seattle, filed a Demand for Hearing dated November 18, 2005 requesting a hearing in the above captioned matter. USLIC's request objected to the Insurance Commissioner's (OIC) Order Suspending Certificate of Authority No. 186 dated August 30, 2005, and sought review of this action. Carol Sureau, Esq., Deputy Commissioner for Legal Affairs, appeared representing the OIC.

Upon request of counsel for USLIC, on November 29, 2005, this matter was transferred to the Office of Administrative Hearings (OAH) for an initial or recommended decision, and the OAH scheduled a hearing on March 14, 2006. Subsequently, by letter dated May 15, 2006 to the undersigned, and prior to the continued date for hearing before OAH, USLIC advised that the parties had settled the matter and therefore USLIC was withdrawing its request for hearing. Said settlement document, Consent Order No. D06-152 Imposing a Fine, which included a rescission of Order No. G05-66, was filed with the undersigned on June 8, 2006. A copy of the referenced Consent Order Imposing a Fine is attached hereto and is by this reference incorporated herein.

Based upon the above activity:

IT IS HEREBY ORDERED that this proceeding, Docket No. G05-66, is terminated.

ENTERED this 24th day of July, 2006, at Tumwater, Washington.



PATRICIA D. PETERSEN
Chief Hearing Officer



OFFICE OF
INSURANCE COMMISSIONER

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Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

In the Matter of

UNITED STATES LIFE INSURANCE
COMPANY IN THE CITY OF NEW
YORK

An Authorized Insurer.

ORDER NO. D06-152

CONSENT ORDER IMPOSING A FINE

Findings of Fact:

1. United States Life Insurance Company in the City of New York ("US Life, NY") is authorized to conduct insurance business in Washington State. It issues life and disability insurance.
2. RCW 48.05.250 requires that insurers submit an annual statement with respect to the preceding year to the Office of the Insurance Commissioner ("OIC") before the first day of March of the following year.
3. US Life, NY undertook to timely file its annual statement, but its electronic submission partially failed. An order suspending US Life, NY's Certificate of Authority for failure to file an annual statement was entered on August 30, 2005. Immediately thereafter, US Life, NY, resubmitted its complete annual statement filing on September 6, 2005. The suspension was rescinded nunc pro tunc by Order No. G05-66.

Conclusions of Law:

1. The failure of US Life, NY to file its 2004 annual statement by the due date of February 28, 2005 constitutes a violation of RCW 48.05.250 and WAC 284-07-050.

Consent to Order:

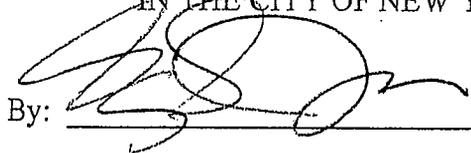
US Life, NY consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. By agreement of the parties, the Commissioner will rescind the suspension of US Life NY's certificate of authority nunc pro tunc and will impose a fine of \$5,000 on US Life, NY on condition that:

1. Within thirty days of the entry of this Order, US Life, NY will pay to the Insurance Commissioner a fine in the amount of \$5,000 (five thousand dollars).

2. If US Life, NY fails to pay the fine in full within thirty days of the entry of this order, this will constitute grounds for the suspension or revocation of the certificate of authority held by US Life, NY in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 8th day of May, 2006

UNITED STATES LIFE INSURANCE COMPANY
IN THE CITY OF NEW YORK

By: 

PRINTED NAME: Kyle L. Jennings
PRINTED CORPORATE TITLE: Senior Vice President & General Counsel

Order:

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

1. United States Life Insurance Company in the City of New York is ordered to pay, within thirty days of the entry of this Order, a fine in the amount of \$5,000 (five thousand dollars).
2. Failure to timely pay the fine in full will constitute grounds for the suspension or revocation of the certificate of authority held by the insurer in Washington State.
3. It will also result in a civil action being brought by the Attorney General, on behalf of the Insurance Commissioner, to recover the fine.

Executed this 12th day of May, 2006.

MIKE KREIDLER
Insurance Commissioner

By: 

Carol Sureau
Deputy Insurance Commissioner
Legal Affairs Division