

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

2007 DEC 21 P 1:26

AT RICHMOND, DECEMBER 21, 2007

COMMONWEALTH OF VIRGINIA

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At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2007-00375

MERCURY CASUALTY COMPANY,  
Defendant

SETTLEMENT ORDER

Based on a market conduct examination performed by the Bureau of Insurance ("Bureau"), it is alleged that the Defendant, duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia, violated §§ 38.2-502, 38.2-510 A 10, 38.2-512, 38.2-1905 A, 38.2-1906 A, 38.2-1906 D, 38.2-2202, 38.2-2204, 38.2-2210, 38.2-2212, 38.2-2214, 38.2-2220, 38.2-2223, and 38.2-2234 of the Code of Virginia, as well as 14 VAC 5-400-40 A, 14 VAC 5-400-70 A, 14 VAC 5-400-70 D, and 14 VAC 5-400-80 D.

The Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1040 of the Code of Virginia to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke the Defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that the Defendant has committed the aforesaid alleged violations.

The Defendant has been advised of its right to a hearing in this matter, whereupon the Defendant, without admitting any violation of Virginia law, has made an offer of settlement to the Commission wherein the Defendant has tendered to the Commonwealth of Virginia the sum of twenty-five thousand six hundred dollars (\$25,600), waived its right to a hearing, and agreed to comply with the Corrective Action Plan set forth in its letters to the Bureau dated April 30, 2007 and September 17, 2007.

The Bureau has recommended that the Commission accept the offer of settlement of the Defendant pursuant to the authority granted the Commission in § 12.1-15 of the Code of Virginia.

THE COMMISSION, having considered the record herein, the offer of settlement of the Defendant, and the recommendation of the Bureau, is of the opinion that the Defendant's offer should be accepted.

IT IS THEREFORE ORDERED THAT:

(1) The offer of the Defendant in settlement of the matter set forth herein be, and it is hereby, accepted; and

(2) The papers herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to Frank North, Virginia General Manager, Mercury Casualty Company, 620 Moorefield Park Drive, Suite 210, Richmond, Virginia 23236; and the Bureau of Insurance in care of Deputy Commissioner Mary M. Bannister.