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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER</b>
UTAH INSURANCE DEPARTMENT	:	
<b>RESPONDENT</b>	:	
<b>TRUSTMARK LIFE INSURANCE COMPANY:</b>	:	Docket No. 2013-010 HL
<b>ATTN: BEVERLEY ELAINE WRIGHT</b>	:	
<b>400 FIELD DRIVE</b>	:	Enf. Case No. 3263
<b>LAKE FOREST, IL 60045-2581</b>	:	
Utah Company Id. No.: 1650	:	

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. Respondent is an insurer domiciled in the State of ILLINOIS and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 1650.
2. Respondent is a small employer carrier as defined in Utah Code Annotated § 31A-30-103 and is a participant in the Utah Comprehensive Health Insurance Pool.

3. Pursuant to Utah Code Annotated § 31A-29-117(2), Respondent is required to file by February 1<sup>st</sup> of each year a Report of its small employer index premium rates and the average percentage change in the index premium rate as of January 1<sup>st</sup> of that year.

4. Respondent failed to file the report referred to above on or before February 1, 2013.

Having entered his Findings of Fact, the Commissioner now enters his:

### **CONCLUSION OF LAW**

1. In failing to timely file its small employer index premium rate and average percentage change in the index premium rates by February 1, 2013, Respondent violated Utah Code Annotated § 31A-29-117(2).

2. Pursuant to Utah Code Annotated § 31A-2-308, the commissioner may impose an administrative forfeiture on an insurer of up to \$5,000.00 for each violation of the Utah Insurance Code.

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

### **ORDER**

#### **IT IS HEREBY ORDERED:**

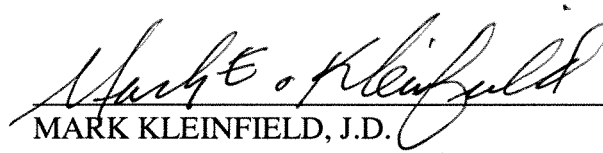
1. Respondent shall pay an administrative forfeiture in the amount of \$750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department

prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

DATED THIS 19<sup>th</sup> day of February, 2013.

TODD E. KISER  
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

**NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 East 300 South, Fifth Floor, P.O. Box 140874, Salt Lake City, Utah 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$5,000.00 per violation and the suspension or revocation of your license, and the filing of an action in District Court, which may impose forfeitures of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

CERTIFICATE OF MAILING


I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Trustmark Life Insurance Company  
Attn: Beverly Elaine Wright  
400 Field Drive  
Lake Forest, IL60045-2581

DATED this 19<sup>th</sup> February, 2013

A handwritten signature in cursive script, reading "Linda Hardy", is written over a horizontal line.

Linda Hardy  
Market Conduct  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901  
(801) 538-3860

**UTAH  
Invoice - Original**

Printed Date: February 19, 2013  
Invoice Date: February 19, 2013  
Balance Due: \$750.00  
Due Date: March 16, 2013  
Invoice ID: 624705  
NAIC ID: 62863  
Payor ID: 1650

BEVERLEY ELAINE WRIGHT  
TRUSTMARK LIFE INSURANCE COMPANY  
400 FIELD DRIVE  
LAKE FOREST IL 60045

<b>Item Description</b>	<b>Amount</b>
2/19/2013 Monetary Penalty Company	\$750.00
E-Case 3263 Docket 2013-010 HL	
	<b>Original Amount Due</b> \$750.00
<b>Payments Received</b>	
	<b>Balance Due</b>

**UTAH  
Invoice - Original**

Invoice Date: February 19, 2013  
Balance Due: \$750.00  
Due Date: March 16, 2013  
Invoice ID: 624705  
Payor ID: 1650  
Payor Name: TRUSTMARK LIFE  
INSURANCE  
COMPANY

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department  
3110 State Office Building  
Salt Lake City, UT 84114-6901