

M. GALE LEMMON #4363 *mst*  
 Assistant Attorney General  
 JOHN SWALLOW #5802  
 Attorney General  
 Attorneys for Utah Insurance Department  
 160 East 300 South, Fifth Floor  
 P.O. Box 14974  
 Salt Lake City, UT 84114-0874  
 Telephone (801) 366-0375

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

|  |   |   |
|--|---|---|
| <b>COMPLAINANT:</b>                                  | : | <b>NOTICE OF INFORMAL<br/>ADJUDICATIVE PROCEEDING<br/>AND ORDER</b> |
| UTAH INSURANCE DEPARTMENT                            | : |   |
| <b>RESPONDENT:</b>                                   | : |   |
| <b>STERLING INVESTORS LIFE INSURANCE<br/>COMPANY</b> | : | Docket #: 2013-076 HL   |
| ATTN: ALISON HUFFMAN                                 | : | Enf. Case No. 3329  |
| 210 E. SECOND AVENUE, STE 105                        | : |   |
| ROME, GEORGIA 30161                                  | : |   |
| Utah Company Id. No.: 1402                           | : |   |

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 Georgia-and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 1402.
2. Respondent is an insurer that markets Medicare Supplement Policies and was required, under Utah Administrative Code Rule R590-146 and Bulletin 2007-3, to electronically

file its Annual Filing of Premium Rates, its Refund Calculation and Benchmark Ratio, and its Report of Multiple Policies before May 31<sup>st</sup> of each year.

3. Respondent failed to electronically file its Annual Filing of Premium Rates, its Refund Calculation and Benchmark Ratio, and its Report of Multiple Policies on or before May 31, 2013.

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

**CONCLUSION OF LAW**

1. In failing to electronically file its Annual Filing of Premium Rates on or before May 31, 2013, Respondent violated Utah Admin. Code Rule R590-146-14(C).

2. In failing to electronically file its Refund Calculation and Benchmark Ratio on or before May 31, 2013, Respondent violated Utah Admin. Code Rule R590-146-14(B).

3. In failing to electronically file its Report of Multiple Policies on or before May 31, 2013, Respondent violated Utah Admin. Code Rule R590-146-22.

4. 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**

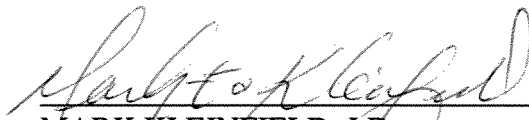
**IT IS HEREBY ORDERED:**

1. Respondent is assessed an administrative forfeiture in the amount of \$1500.00. 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 20 day of June, 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:

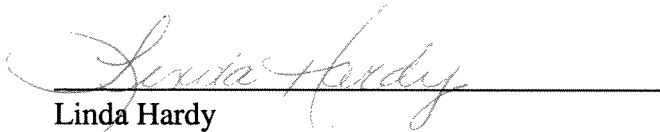
NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER  
&  
REVOCATION OF CERTIFICATE OF AUTHORITY

To the following:

**STERLING INVESTORS LIFE INSURANCE COMPANY**

Attn: Alison Huffman  
210 E Second Avenue, Ste. 105  
Rome, GA. 30161

DATED this 20<sup>th</sup> June, 2013



Linda Hardy  
Market Conduct  
Utah Department of Insurance  
801-538-3860  
[lhady@utah.gov](mailto:lhady@utah.gov)

**UTAH**  
**Invoice - Original**

Printed Date: June 20, 2013  
Invoice Date: June 20, 2013  
Balance Due: \$1,500.00  
Due Date: July 15, 2013  
Invoice ID: 642065  
NAIC ID: 89184  
Payor ID: 1402

TOM MYERS  
STERLING INVESTORS LIFE INSURANCE COMPANY  
8545 126TH AVE N  
SUITE 200  
LARGO FL 33773-1503

| <b>Item Description</b>  | <b>Amount</b>            |
|--|--------------------------|
| 6/20/2013 Monetary Penalty Company<br>E-Case 3329 Docket # 2013-076 HL | \$1,500.00               |
| <b>Original Amount Due</b>   | <hr/> \$1,500.00         |
| <b>Payments Received</b>   |                          |
|  | <hr/> <b>Balance Due</b> |

**UTAH**  
**Invoice - Original**

Invoice Date: June 20, 2013  
Balance Due: \$1,500.00  
Due Date: July 15, 2013  
Invoice ID: 642065  
Payor ID: 1402  
Payor Name: STERLING  
INVESTORS 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