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**JUL 15 2016**

**UTAH STATE  
INSURANCE DEPT.**

Utah Insurance Department  
State office Building, Rm 3110  
Salt Lake City, UT 84114  
Suzette D. Green-Wright  
Telephone: (801) 538-9674  
Email: sgreenwright@utah.gov

**UTAH INSURANCE DEPARTMENT  
COMPLAINANT,**

**RESPONDENT,  
PACIFIC SURETY CO. INC.  
Attn: Brad Rhodes  
1606 Whispering Wind Drive  
Phoenix, AZ 84085**

License No. 174103

**NOTICE OF INFORMAL  
AGENCY ACTION  
AND ORDER**

Docket No. 2015-103 EX

Enf. Case No. 3662  
Judge Gregory Soderberg  
Administrative Law Judge

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. § 31A-2-201, 31A-3-103 and 63G-4-201. Based upon information contained in the Department's files or known to the Department, the presiding officer enters the following:

**FINDINGS OF FACT**

1. Respondent is a licensed insurance company authorized to do the business of insurance in the State of Utah holding License Number 174103.
2. Since its inception, Respondent never conducted an insurance business and never issued a policy or a surety bond.
3. Respondent submitted a plan of dissolution to the Utah Insurance Department on June 15, 2015.

4. On August 25, 2015, Respondent's sole shareholder adopted a resolution to dissolve.
5. The commissioner timely commenced an examination of the Respondent after the resolution to be dissolved was adopted.
6. Based on this examination, the commissioner concluded that Respondent is not insolvent and will not be insolvent during the process of dissolution.

Having entered the Findings of Fact, the Presiding Officer now enters the following:

### **CONCLUSIONS OF LAW**

1. Pacific Surety is not insolvent and will not become insolvent during the process of dissolution.

Based on the Findings of Fact and the Conclusions of Law, the Presiding Officer now enters the following Order:

### **ORDER**


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

1. Respondent's dissolution is approved;
2. Respondent may dissolve as set forth in Utah Code § 31A-5-504(2)(e);
3. During the dissolution process, Respondent's corporate existence continues as set forth in Utah Code § 31A-5-504(7);
4. Respondent's Certificate of Authority is cancelled.
5. This Order shall become final fifteen (15) days after the date of mailing unless a written request for 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 shall state the basis for the relief requested.

DATED this 14<sup>th</sup> day of July, 2016.

TODD E. KISER  
INSURANCE COMMISSIONER

  
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GREGORY SODERBERG  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone: (801) 538-3800

**NOTIFICATION**

If you request a hearing regarding this matter, please contact Market Conduct Director Suzette Green-Wright at (801) 538-9674. 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 \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order 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.