

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

BEFORE THE DIRECTOR OF THE DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

In the Matter of the Certificate of Authority of
Colorado Western Insurance Company, Wheat)
Ridge, Colorado

SUSPENSION ORDER

Case No. INS 04-03-037

INTRODUCTION

The Director of the Department of Consumer and Business Services (Director) hereby issues a Suspension Order to Colorado Western Insurance Company (COLORADO WESTERN) under Oregon Revised Statutes (ORS) 731.256 and 731.414 because the Director has reason to believe the following:

FINDINGS OF FACT

Since August 3, 1993, COLORADO WESTERN, a Colorado corporation, has been issued a certificate of authority pursuant to ORS 731.402. It is currently authorized to transact Casualty excluding workers' compensation insurance within the state of Oregon.

On or about March 1, 2004, COLORADO WESTERN filed financial statements reflecting capital and surplus of \$(1,942,458) as of December 31, 2003.

ULTIMATE FINDINGS OF FACT

COLORADO WESTERN did not maintain at least \$2.5 million in capital and surplus, or any combination thereof, as required by ORS 731.554.

CONCLUSIONS OF LAW

COLORADO WESTERN did not comply with the minimum capital and surplus requirement of ORS 731.554(1) for a certificate of authority

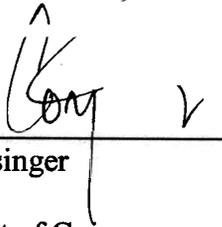
Such condition is a ground under ORS 731.414(1)(a) for suspending an insurer's certificate of authority without a hearing under ORS 731.414(2).

ORDER

Pursuant to ORS 731.414, the Oregon certificate of authority issued to COLORADO WESTERN is suspended. The period of suspension shall be continuous from the date of this order until rescinded by further written order of the Director, pursuant to ORS 731.426(1). Pursuant to ORS 731.426(2), during the period of suspension, COLORADO WESTERN shall not solicit or issue new policies of insurance in this state or assume any Oregon risk. During the period of suspension, COLORADO WESTERN shall also not issue renewal policies in this state. COLORADO WESTERN shall file its annual financial statement and pay any fees and taxes required to be paid. COLORADO WESTERN may service any existing policies of insurance issued to persons residing in Oregon.

Pursuant to ORS 731.422(2), the authority of all agents to represent COLORADO WESTERN within the state of Oregon is also suspended. The period of suspension shall be for the same period that the certificate of authority issued to COLORADO WESTERN is suspended. During the period of suspension, an agent may represent COLORADO WESTERN only to the extent that COLORADO WESTERN may service any existing policies of insurance issued to persons residing in Oregon and that COLORADO WESTERN has authorized the agent to represent it.

Issued in duplicate the 17th day of June, 2004.



Cory Streisinger
Director
Department of Consumer and Business Services

NOTICE

You are entitled to a hearing under ORS 183.415. You may be represented at a hearing by an attorney licensed in Oregon. If you want a hearing, you must deliver or mail a written request for a hearing to the Director addressed to Insurance Division, Hearings Section, 350 Winter Street NE Room 440-6, Salem, Oregon 97310. The written request must be received by the Director within 21 calendar days after the date this order is delivered or mailed to you.

If you request a hearing within the time allowed, then you will be notified of the time and location of the hearing and information regarding contested case proceedings before the Director.

If you do not request a hearing within the time allowed, then you will waive your right to a hearing. Also, if you do not request a hearing within the time allowed, or if you do not appear at a scheduled hearing, then this order shall become final.