

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

In the Matter of **Argonaut-Midwest Insurance Company**) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 07-05-004

STIPULATION

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Argonaut-Midwest Insurance Company (Argonaut-Midwest).

Argonaut-Midwest desires to conclude this proceeding without a hearing by entering into this stipulation pursuant to ORS 183.415(5).

Argonaut-Midwest waives all rights relative to an administrative hearing and judicial review thereof.

Argonaut-Midwest stipulates to the following facts, conclusions, action, and to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Argonaut-Midwest has been licensed in Oregon as a foreign insurer since 12/1/73. Argonaut-Midwest's last recorded principal business address is located in San Antonio, Texas.

Increased Special Workers' Compensation Deposit Late

Argonaut-Midwest is subject to enforcement action pursuant to ORS 731.616(3) because of the following circumstances. ORS 731.616(3) requires a person who is licensed in Oregon as an insurer, is authorized to transact workers' compensation insurance, and is subject to ORS 731.628, to make and maintain a special deposit for the payment of workers' compensation benefits, and to deposit with the director an additional amount within 30 days after being notified by the director of the amount. On 3/12/07, the director notified Argonaut-Midwest that it was required to

make an additional deposit of \$226,383 to its special workers' compensation deposit. Argonaut-Midwest was required to make the additional deposit by 4/11/07. However, Argonaut-Midwest made the additional deposit on 4/19/07, eight days late.

Action

Pursuant to ORS 731.988, Argonaut-Midwest is assessed a civil penalty of \$800.00. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated May 14, 2007

/s/ Roger Fisher
[Signature of Representative]
Roger Fisher
[Printed Name of Representative]
Controller
[Printed Title of Representative]
Argonaut-Midwest Insurance Company

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated May 30, 2007

/s/ Cory Streisinger
Cory Streisinger
Director
Department of Consumer and Business Services

//
//
//