

unrecouped pursuant to OAR 836-031-0855(7), or payback or carry over any excess amount recouped pursuant to OAR 836-031-0855(9), and annually file with the director a certification pursuant ORS 734.579(2) and OAR 836-031-0855(8). OAR 836-031-0855(8) requires a member insurer to file a certification on a form specified by the director by June 1 of each year following the completion of a 12-month recoupment assessment period referred to in OAR 836-031-0855(6). At all relevant times, Colonial American was a member insurer of OIGA, was assessed by OIGA, and recouped or otherwise disposed of the assessment. Colonial American was required to file its certification for 2009 by 6/1/10. Colonial American filed its certification for 2009 on 8/10/10, 70 days late.

Action

Pursuant to ORS 731.988(1), Colonial American is assessed a civil penalty of \$7,000. 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 or mailed to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; 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 October 18, 2010

/s/ Laura Darbro

[Signature of Representative]

Laura Darbro

[Printed Name of Representative]

Assistant Secretary

[Printed Title of Representative]

Colonial American Casualty and Surety 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 November 2, 2010

/s/ Cory Streisinger

Cory Streisinger

Director

Department of Consumer and Business Services