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3 STATE OF OREGON  
4 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
5 DIVISION OF FINANCIAL REGULATION

6 In the Matter of:

Case No. INS-20-0073

7 SEQUOIA INSURANCE COMPANY,

8 Respondent.

9 FINAL ORDER TO CEASE AND  
10 DESIST, FINAL ORDER ASSESSING  
11 CIVIL PENALTY, AND CONSENT TO  
12 ENTRY OF ORDER

13 The Director of the Department of Consumer and Business Services for the State  
14 of Oregon (“Director”), acting in accordance with the Oregon Revised Statutes (“ORS”)  
15 chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750 (“Insurance  
16 Code”), has decided to take enforcement action against Sequoia Insurance Company  
17 (“Sequoia”).

18 Sequoia wishes to resolve and settle this matter with the Director.

19 Now, therefore, as evidenced by the signature(s) subscribed in this Order, Sequoia  
20 hereby CONSENTS to entry of this Order.

21 FINDINGS OF FACT

22 The Director FINDS that:

- 23 1. Sequoia has been licensed in Oregon as a foreign insurer since March 19, 2004.

24 The company’s NAIC number is 22985.

25 2. Sequoia’s last recorded principal business mailing address is 31 Upper  
26 Ragsdale Dr., Monterey, CA 93940-0542.

3. Sequoia is authorized to transact workers’ compensation insurance in Oregon.

4. Workers’ compensation insurers are required to file a Special Oregon  
Schedule P by March 1 of each year.

Division of Financial Regulation  
Labor and Industries Building  
350 Winter Street NE, Suite 410  
Salem, OR 97301-3881  
Telephone: (503) 378-4387



1 5. On January 14, January 29, and February 13, 2020, e-mail notices were sent to  
2 Sequoia to remind the company that its Special Oregon Schedule P for 2019 was due on  
3 March 1, 2020. All notices stated that filing the form late will incur a civil penalty of \$500  
4 a day.

5 6. Sequoia filed its Special Oregon Schedule P for 2019 on May 11, 2020, seventy  
6 (70) days after the due date.

7  
8 CONCLUSIONS OF LAW

9 The Director CONCLUDES that:

10 7. Under ORS 731.252(1), whenever the Director has reason to believe that any  
11 person has been engaged or is engaging or is about to engage in any violation of the  
12 Insurance Code, the Director may issue an order to discontinue or desist from such  
13 violation or threatened violation.

14 8. ORS 731.574(1) authorizes the Director to require workers' compensation  
15 insurers to file a Special Oregon Schedule P by March 1 of each year.

16 9. By filing its Special Oregon Schedule P seventy (70) days past the due date,  
17 Sequoia violated ORS 731.574(1).

18 10. ORS 731.988(1) authorizes the Director to impose upon Sequoia a civil penalty  
19 of up to \$10,000 per violation of ORS 731.574(1).

20  
21 ORDERS

22 Now therefore, the Director issues the following Orders:

23 11. Pursuant to ORS 731.252(1), the Director ORDERS Sequoia to CEASE AND  
24 DESIST from violating ORS 731.574(1).

25 12. Pursuant to ORS 731.988(1), the Director ORDERS Sequoia to pay a CIVIL  
26 PENALTY of \$10,000 for violating ORS 731.574(1).

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1 13. The CIVIL PENALTY assessed herein is due and payable at the time this Order  
2 is submitted to the Director.

3 14. This Order is binding upon Respondent's successors and assigns.

4 15. This Order is a "Final Order" under ORS 183.310(6)(b). Subject to that  
5 provision, the entry of this Order does not limit other remedies that are available to the  
6 Director under Oregon law.

7 SO ORDERED this 5<sup>th</sup> day of October, 2020 in Salem,  
8 Oregon.

9 ANDREW R. STOLFI, Director  
10 Department of Consumer and Business Services

11 /s/ Dorothy Bean  
12 Dorothy Bean, Chief of Enforcement  
13 Division of Financial Regulation

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1 **ENTITY CONSENT TO ENTRY OF ORDER**

2 I, Barry W. Moses, am an officer or manager of Sequoia Insurance  
3 Company (“Sequoia”). I am authorized to act and sign on behalf of Sequoia. I have read  
4 the foregoing Order, and I know and fully understand the contents hereof, without  
5 admitting or denying the Findings of Fact and Conclusions of Law. I have been advised of  
6 the right to a hearing and of the right to be represented by counsel in this matter. Sequoia  
7 voluntarily consents to the entry of this Order with no force or duress, expressly waiving  
8 any right to a hearing in this matter and any rights to administrative or judicial review of  
9 this Order. Sequoia understands that the Director reserves the right to take further action to  
10 enforce this Order or to take action upon discovery that Sequoia has committed other  
11 violations of the Oregon Insurance Code. Sequoia, along with its officers, directors,  
12 employees, or agents, shall comply with the terms and conditions stated herein.

13 Sequoia understands that this Order is a public document.

14  
15 Signature: /s/ Barry W. Moses

16 Position Held: Vice President, Senior Regulatory Counsel

17 **ACKNOWLEDGMENT**

18  
19 State of Ohio

20 County of Cuyahaga

21 Signed or attested before me on the 25<sup>th</sup> of September, 2020.

22  
23 /s/ Catherine L. Miller

24 Notary Public

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