

IN RE: CIM INSURANCE COMPANY

DOCKET NO. INS-04-216

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] CONSENT AGREEMENT
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CIM Insurance Corporation (“CIM”), the Maine Superintendent of Insurance (the “Superintendent”), and the Maine Office of the Attorney General hereby enter into this Consent Agreement, pursuant to 10 M.R.S.A. § 8003(5)(B), to resolve without an adjudicatory hearing issues arising out of CIM’s failure to respond to an inquiry of the Superintendent.

Stipulations

- 1. The Superintendent is the official charged with administering and enforcing the insurance laws of the State of Maine.
2. CIM is a New York stock insurance corporation with a principal place of business in Southfield, Michigan, and has been authorized by the Superintendent pursuant to 24-A M.R.S.A. § 414 to do business in the State of Maine as a workers’ compensation insurer.
3. On February 17, 2004, Bureau of Insurance Workers’ Compensation Division Supervisor Frank Kimball wrote a letter on behalf of the Superintendent, requesting that CIM provide certain information regarding its insurance activities in Maine. Although the letter reminded CIM of its obligation to reply within 30 days, CIM did not do so, and admits that its failure to provide a timely response is a violation of 24-A M.R.S.A. § 220(2).

Covenants

CIM, the Superintendent, and the Office of the Attorney General agree as follows:

- 4. This Consent Agreement is entered into in accordance with 10 M.R.S.A. § 8003(5)(B) and is not subject to review or appeal. This Consent Agreement is enforceable by an action in the Superior Court.
5. CIM agrees to the imposition of a civil penalty of \$200, pursuant to 24-A M.R.S.A. § 12-A(1). A check for that amount, payable to the Treasurer of the State of Maine, shall be submitted at the time of the execution of this Agreement. CIM further agrees to provide all information requested in the Bureau’s February 17, 2004 letter no later than May 24, 2004, unless that deadline is further extended in writing by the Superintendent upon a compelling showing of good cause.
6. In consideration of CIM’s execution of and compliance with the terms of this Consent Agreement, the Superintendent agrees to forgo pursuing any disciplinary measures or other civil or administrative sanction for the actions described in the Stipulations, other than those agreed to in this Consent Agreement. However, should CIM violate this Consent Agreement, the Superintendent reserves the right to pursue any available legal remedy for the violation,

including without limitation the suspension or revocation of CIM's certificate of authority to act as an insurer in the State of Maine.

7. The parties to this Agreement understand that nothing herein shall affect any rights or interests that any person not a party to this Agreement may possess.

8. CIM understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 M.R.S.A. § 402, will be available for public inspection and copying as provided for by 1 M.R.S.A. § 408, and will be reported to the National Association of Insurance Commissioners' "RIRIS" database.

9. CIM has been advised of its right to consult with counsel, and has consulted with counsel before executing this Agreement.

10. This Consent Agreement may be modified only by a written agreement executed by all of the parties.

FOR CIM

Dated:

(signature)

Mary Ann Townsend, Financial Manager
(printed name and title)

Personally appeared before me this day 21st May 2004, and signed this Consent Agreement in my presence.

Mae B. Johnny
Notary Public

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: June 1, 2004

Thomas C. Sturtevant, Jr., AAG

BY THE SUPERINTENDENT OF INSURANCE

Dated: 6-7-04

Alessandro A. Iuppa, Superintendent