

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF KANSAS**

**In the Matter of the Redomestication of  
ALLIANCE INDEMNITY COMPANY**

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**Docket No. 3953-R**

**ORDER OF REDOMESTICATION**

NOW on this 6th day of January, 2009, the above matter comes before the Commissioner of Insurance of the State of Kansas.

Alliance Indemnity Company (“Alliance”), applied to transfer its place of domicile from Oklahoma to Kansas pursuant to K.S.A. 40-2,162.

Alliance Indemnity is represented L. Keith Birkhead, President. The Kansas Insurance Department (“KID”) is represented by John W. Campbell, General Counsel. KID also is represented by Kenneth Abitz, Director of Financial Surveillance; Mark Owens, Financial Analyst, and John Wine, Staff Attorney.

All parties relied on documentary and contractual representations filed with the Kansas Insurance Department.

WHEREUPON the Commissioner makes the following:

**Findings of Fact and Conclusions of Law**

1. Alliance submitted all necessary materials to the Kansas Insurance Department in connection with the redomestication; and

2. The redomestication has been approved by the Office of the Commissioner of Kansas.

**Applicable Laws**

Kansas Statutes Annotated 40-2,162 states, in relevant part:

(a) An insurer organized under the laws of any other state and admitted to do business in this state for the purpose of writing insurance may become a domestic insurer by complying with all of the requirements of law relative to the organization and licensing of a domestic insurer of the same type and by designating the insurer's principal place of business at a place in this state...

(d) The certificate of authority, agents' appointments and licenses, rates and other items which the commissioner allows, in the commissioner's discretion, that are in existence at the time an insurer licensed to transact the business of insurance in this state transfers the insurer's corporate domicile to this or any other state by merger, consolidation or any other lawful method shall continue in full force and effect upon transfer if the insurer remains duly qualified to transact the business of insurance in this state. For purposes of existing authorizations and all other corporate purposes, the insurer or mutual holding company is deemed the same entity as it was prior to the transfer of its domicile. All outstanding policies of a transferring insurer shall remain in full force and effect and need not be endorsed as to the new name of the company or the company's new location unless so ordered by the commissioner. A transferring insurer shall file new policy forms with the commissioner on or before the effective date of the transfer, but may use existing policy forms with appropriate endorsements if allowed by, and under such conditions as approved by, the commissioner. However, every transferring insurer or mutual holding company shall notify the commissioner of the details of the proposed transfer and shall file promptly any resulting amendments to corporate documents filed or required to be filed with the commissioner.

(f) A foreign insurer or mutual holding company shall file restated articles of incorporation and certificate of domestication with the secretary of state in a form prescribed by the secretary of state and approved by the insurance commissioner to transfer to this state. A domestic insurer shall file with the secretary of state a certificate or order issued by the insurance commissioner approving the transfer to another state....

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE**

**THAT:**

The redomestication of Alliance from Oklahoma to Kansas is hereby approved pursuant to K.S. A. 40-2,162, effective January 1, 2009.

**Notice of Right to Hearing or Appeal**

Alliance is entitled to a hearing pursuant to K.S.A. § 77-537, the Kansas Administrative Procedure Act. If Alliance desires a hearing, the company must file a written request for a hearing with:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612.

This request must be filed within fifteen (15) days from the date of service of this Order. If Alliance requests a hearing, the Kansas Insurance Department will notify the company of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of same.

If a hearing is not requested in the time and manner stated above, this Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. § 77-613. In the event that Alliance files a petition for judicial review, pursuant to K.S.A. § 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612.



IT IS SO ORDERED THIS   6th   DAY OF  
 JANUARY, 2009, IN THE CITY OF TOPEKA, COUNTY  
 OF SHAWNEE, STATE OF KANSAS.

  /s/ Sandy Praeger    
 Sandy Praeger  
 Commissioner of Insurance

BY:

  /s/ John W. Campbell    
 John W. Campbell  
 General Counsel

APPROVED AND SUBMITTED BY:

  /s/ John Wine    
 John Wine  
 Staff Attorney  
 Kansas Insurance Department

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Order was served on  
 this the   6th   of January, 2009, to:

Alliance Indemnity Company  
 1122 North Main Street  
 McPherson, Kansas 67460

  /s/ John Wine    
 John Wine  
 Staff Attorney