

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

In the Matter of)
Universal Underwriters)
Insurance Company) **Docket No. 4392-EX**
NAIC # 41181)

ORDER OF EXEMPTION

Pursuant to the authority granted by K.S.A. 40-3305, the Commissioner of Insurance (“Commissioner”) hereby exempts Universal Underwriters Insurance Company, (“UUIC”) from the requirements of K.S.A. 40-3305(e) for the purpose of a dividend transaction to its parent company. The Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no hearing is requested, pursuant to K.S.A. 77-542.

FINDINGS OF FACT

1. UUIC, located at 7045 College Boulevard, Overland Park, KS 66211, is authorized to transact and has been continuously engaged in the transaction of the business of insurance in the State of Kansas since October 31, 1949.
2. In a letter dated December 13, 2011, UUIC notified the Commissioner of a dividend transaction to its shareholder of record and parent company, Zurich American Insurance Company, payable December 27, 2011.
3. Pursuant to K.S.A. 40-3305(e) any such dividend shall not be paid for at least ten business days from the Commissioner’s receipt of the notice of the dividend declaration.
4. As the notification of the dividend was received on December 14, 2011, the earliest date that the dividend would be eligible for payment is December 30, 2011.
5. On December 18, 2011, UUIC requested an exception to the ten business day requirement, which would allow them to pay the dividend on December 27, 2011.

CONCLUSIONS OF LAW

6. K.S.A. 40-3305 provides, in pertinent part:

(e) Any such dividends or distribution shall not be paid for at least 10 business days from the commissioner's receipt of the notice of its declaration.

(j) The provisions of this section shall not apply to any information or transaction if and to the extent the commissioner of insurance by order shall exempt the same from the provisions of this section.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. UUIC is hereby exempted from the requirements of the K.S.A. 40-3305(e) for the purpose of completing the dividend transaction as declared on December 13, 2011.

2. The above exemption pursuant to the K.S.A. 40-3305(j) shall apply only to the dividend transaction as declared by UUIC on December 13, 2011 and shall not be construed as an exemption for future dividend transactions.

NOTICE OF RIGHTS

Universal Underwriters Insurance Company is entitled to a hearing pursuant to K.S.A. 77-537, the Kansas administrative Procedures act. If UUIC desires a hearing, the company must file a written request for a hearing with:

Zachary J.C. Anshutz, General Counsel
Kansas Insurance Department
420 SW 9th Street
Topeka, KS 66612

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

If a hearing is not requested in the time and manner stated above, the Summary 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 UUIIC 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:

Zachary J.C. Anshutz, General Counsel
Kansas Insurance Department
420 SW 9th Street
Topeka, KS 66612

IT IS SO ORDERED THIS 21st DAY OF DECEMBER, 2011, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



_____/s/ Sandy Praeger_____

Sandy Praeger

Commissioner of Insurance

BY:

_____/s/ Zachary J.C. Anshutz_____

Zachary J.C. Anshutz

General Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the above and forgoing Order of Exemption was served via the United States Postal Service, first class postage prepaid, on this __21st__ day of December, 2011, addressed the following:

Mr. Dennis F. Kerrigan, Jr.
Executive Vice President and General Counsel
Zurich North America
1400 American Lane
Schaumburg, IL 60196-1056

_ /s/ John R. Dowell _____
John R. Dowell
Staff Attorney