

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 10616 - CO11 - 0913 - 013

IN THE MATTER OF:)

Unique Insurance Co.)

Respondent,)

4245 N Knox St.)
Chicago, IL 60641)

NAIC No.: 10655)

FILED

SEP 28 2011

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”) and Unique Insurance Co., (“Respondent”), a foreign insurer holding a Certificate of Authority to conduct business in Indiana, signed an Agreed Entry which purports to resolve all issues regarding the above cause number, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS, THEREFORE, ORDERED, by the Commissioner of Insurance:

1. Respondent’s actions, as detailed in the Agreed Entry, are in violation of Indiana Code § 27-4-1-4.5(2) and § 27-4-1-4.5(6).
2. Respondent shall pay an administrative fine of \$5,000, payable to the State of

Indiana, within thirty (30) days.

3. Additional violations of Indiana Code § 27-4-1-4.5 will result in further administrative action.

~~ALL OF WHICH IS ORDERED~~ this ^{28th} day of September, 2011.



Stephen W. Robertson,
Commissioner, Indiana Department of Insurance

Distribution:

Erika Cwan, VP of Claims
Unique Insurance Co.
4245 N Knox St.
Chicago, IL 60641

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NUMBER:10616-CO11-0913-013

IN THE MATTER OF:)

Unique Insurance Co.)

Respondent,)

4245 N. Knox St.)
Chicago, IL 60641)

NAIC No.: 10655)

FILED

SEP 28 2011

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance ("Department"), and Unique Insurance Co. ("Respondent"), an insurance company holding a Certificate of Authority to conduct business in Indiana, to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is an insurer with a statutory home office located in the State of Illinois and licensed to do business in the State of Indiana; and

WHEREAS, on August 19, 2011, the Department received a complaint from an Indiana consumer regarding the handling of claim number 11INP0002535; and

WHEREAS, in conducting its investigation, the Department discovered that large and significant gaps exist in the claim file notes, signifying that the claim was not

handled by employees of Respondent in a timely manner, including one gap between May 6, 2011 and July 21, 2011; and

WHEREAS, the complainant stated that on several occasions, efforts to contact Respondent were unsuccessful, and messages left for Respondent went unreturned; and

WHEREAS, the allegations herein represent violations of Indiana Code § 27-4-1-4.5(2), § 27-4-1-4.5(3), and § 27-4-1-4.5(6); and

WHEREAS, the Department and Respondent desire to resolve their differences and settle their issues without incurring the time and expense of a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent admits to the violations of Indiana Code stated above and agrees to pay a fine of \$5,000.00, payable to the State of Indiana, within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
6. Respondent agrees to commit no further violations of the Unfair Claims Settlement Practices Act as enumerated in Indiana Code §27-4-1-4.5.

STATE OF Illinois)
) SS:
COUNTY OF Cook)

Before me a Notary Public for Cook County, State of Illinois, personally appeared ERIKA S. CWAN on behalf of Unique Insurance Co., and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 19th day of September, 2011.



Ann McSheffrey
Signature

ANN MCSHEFFREY
Printed

My Commissioner expires: 12/28/11
County of Residence: Cook