

**STATE OF MISSISSIPPI
OFFICE OF THE COMMISSIONER OF INSURANCE**

COMMISSIONER OF INSURANCE

PETITIONER

VS.

CAUSE NO. 10-6125

**MOBIL AUTO CLUB, INC.
LICENSE NO.: 8800074**

RESPONDENT

ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi, sitting in a special session in the offices of the Commissioner of Insurance, 10th Floor, Woolfolk Building, 501 North West Street, Jackson, Hinds County, Mississippi, on Wednesday, August 18, 2010 at 9:00 a.m., on a Notice of Hearing and Statement of Charges filed against Mobil Auto Club, Inc. (hereinafter the "Respondent"), to hear evidence concerning said Notice of Hearing and Statement of Charges, and the Respondent or a representative of the Respondent failed to appear, therefore, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

NOTICE AND HEARING

I.

That on or about July 22, 2010 the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to *Miss. Code Ann.* § 83-17-71 (Supp. 2009) gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of revoking the Respondent's License Number 8800074.

II.

That said Notice of Hearing and Statement of Charges was sent to Respondent at the address provided to the Licensing Division of the Mississippi Department of Insurance.

III.

That pursuant to said Notice, a hearing was scheduled before the Commissioner of Insurance of the State of Mississippi, for 9:00 a.m., on Wednesday, August 18, 2010.

IV.

That Respondent, after being duly and properly notified of said hearing in accordance with statutory requirements, failed to appear at said hearing at its scheduled time in order to testify and submit evidence. Therefore, evidence was taken without the Respondent.

FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, the Commissioner of Insurance makes the following Findings of Fact:

V.

On February 26, 2010, Respondent filed with the Mississippi Department of Insurance (“Department”) an unverified balance sheet ending December 31, 2009. Respondent was notified by the Department on March 5, 2010, that the report was incomplete and had to include an income statement and a verification by two officers, pursuant to *Miss. Code Ann.* § 83-11-243 and the Automobile Clubs Annual Filing Requirements.

VI.

The Department continued to inquire about the incomplete report and to obtain an estimate of when the report would be filed. Correspondence between the Department and Respondent continued for

approximately three months regarding this filing. However, no verified financial statement was received by the Department.

VII.

On June 14, 2010, Respondent formally requested an extension and the Department granted the extension until July 15, 2010, to file its financial statement.

VIII.

Respondent failed to file its verified financial statement on or before July 15, 2010.

CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance finds that the Respondent, has committed the following violations:

IX.

It is specifically charged that the Respondent violated the provisions of *Miss. Code Ann.* § 83-11-243 by failing to file before March 1, a true statement (verified by two officers) of its financial condition, transactions and affairs as of December 31 preceding.

X.


It is specifically charged that the Respondent violated the provisions of *Miss. Code Ann.* § 83-11-243 by failing to file on or before the extension date of July 15, 2010, a true statement (verified by two officers) of its financial condition, transactions and affairs as of December 31 preceding.

ORDER

IT IS THEREFORE ORDERED, that the charges previously stated herein against the Respondent, shall be and by the same are hereby sustained.

IT IS FURTHER ORDERED, that the license granted to the Respondent, under license number 8800074, be **SUSPENDED** effective immediately.

SO ORDERED, this the 7th day of September, 2010.



J. MARK HAIRE
DEPUTY COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI