

File: 41040/CJ
E-Case ID: 1653

**STATE OF MINNESOTA
COMMISSIONER OF COMMERCE**

In the Matter of the Certificate of Authority
of Continental Casualty Company,
licensed to do business in the State of
Minnesota.
NAIC No. 20443

CONSENT ORDER

To: Continental Casualty Company
333 S. Wabash Avenue
Chicago, IL 60604.

1. The Commissioner of Commerce Mike Rothman ("Commissioner") has advised Continental Casualty Company ("Respondent"), that he is prepared to commence formal proceedings against Respondent's Certificate of Authority and to seek penalties in accordance with the provisions of Minn. Stat. § 45.027 (2014), and other applicable law, based on allegations that Respondent failed to acknowledge and act reasonably promptly upon communications with respect to a long term care claim and failed to attempt in good faith to effectuate prompt, fair, and equitable settlements of a claim in which liability had become reasonably clear, in violation of Minn. Stat. § 72A.20 subd. 12(2)(6) (2014).

2. Respondent acknowledges that it has been advised of its rights to a hearing in this matter, to present argument to the Commissioner and to appeal from any adverse determination after a hearing and Respondent hereby expressly waives those rights. Respondent further acknowledges that it has been represented by legal counsel throughout

these proceedings, or has been advised of its right to be represented by legal counsel, which right it hereby waives.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. § 14.59 (2014) and Minn. R. 1400.5900 (2015).

The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 45.027 (2014), that Respondent shall pay to the State of Minnesota a civil penalty of \$5,000.

IT IS FURTHER ORDERED, that Respondent shall cease and desist from further violations of Minn. Stat. § 72A.20.

This Order shall be effective upon signature by or on behalf of the Commissioner.

Dated: 11-17-2016.

MIKE ROTHMAN
Commissioner

By:


MARTIN FLEISCHHACKER
Assistant Commissioner – Enforcement

Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101
Telephone: (651) 539-1640

CONSENT TO ENTRY OF ORDER

The undersigned, acting on the behalf of Continental Casualty Company ("Respondent"), states that he/she has read the foregoing Consent Order; that he/she knows and fully understands its contents and effect; that he/she has been advised of his/her right to a hearing; that he/she has been represented by legal counsel in this matter; or that he/she has been advised of his/her right to be represented by legal counsel and that he/she has waived this right; and that he/she consents to entry of this Order by the Commissioner of Commerce. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either express or implied.

Continental Casualty Company

By: [Signature]

Its: President, LTC

STATE OF ILLINOIS

COUNTY OF COOK

This instrument was acknowledged before me on 11/14/16 (date) by

Albert Miralles (name(s) of person(s) as

President, LTC (type of authority, e.g., officer, trustee, etc.) of

Continental Casualty Company (name of party on behalf of whom the instrument was executed).

[Signature]

(Signature of notary officer)

Notary Consultant

Title (and Rank)

My commission expires: 2/27/19

