

**STATE OF NORTH DAKOTA**  
**BEFORE THE COMMISSIONER OF INSURANCE**

<b>In the Matter of</b>	)	
	)	
<b>The Registration of</b>	)	<b>TEMPORARY ORDER</b>
<b>U.S. Rail Insurance Company,</b>	)	<b>SUSPENDING</b>
<b>a Risk Retention Group,</b>	)	<b>REGISTRATION</b>
<b>FEIN 20-8766484,</b>	)	
	)	
<b>Respondent.</b>	)	

WHEREAS, N.D.C.C. § 26.1-01-03(1) requires the Commissioner of Insurance for the State of North Dakota to see that all the laws of the state respecting insurance companies and benevolent societies are executed faithfully; and

WHEREAS, Respondent is a registered risk retention group doing business in the State of North Dakota pursuant to N.D.C.C. Chapter 26.1-46 and N.D. Admin. Code Chapter 45-05-05, and is domiciled in the State of Vermont; and

WHEREAS, N.D.C.C. § 26.1-46-03(11) states a risk retention group that violates any provisions of N.D.C.C. Chapter 26.1-46 will be subject to fines and penalties, including revocation of its right to do business in this state, applicable to licensed insurers generally; and

WHEREAS, N.D.C.C. § 26.1-11-08 requires the Commissioner to revoke or suspend all Certificates of Authority granted to a foreign insurance company, or to its agents, if upon examination or receipt of other evidence, the Commissioner is of the opinion that the company is in an unsound condition or that the company has failed to comply with any provision of the applicable laws of this state; and

WHEREAS, on December 17, 2010, the Vermont Department of Banking, Insurance, Securities and Health Care Administration issued a Notice of Insolvency and Plan of Action against Respondent; and

WHEREAS, based on the foregoing information, the Commissioner of Insurance of the State of North Dakota is of the opinion that the Respondent is in an unsound condition.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The registration of Respondent authorizing said company to transact the business of a risk retention group in the State of North Dakota is **TEMPORARILY SUSPENDED** until further Order of the Commissioner; and

2. During the period of suspension, Respondent, its agents, brokers, and representatives shall immediately cease and desist from the placement of any new business of insurance in the State of North Dakota; and Respondent shall continue to make all filings and pay all fees and taxes as is required by the laws of the State of North Dakota; and Respondent, its agents, brokers, and representatives shall continue to service and accept renewal premiums under the limitations imposed by the Vermont Department of Banking, Insurance, Securities and Health Care Administration.

This Order is effective and dated this 14<sup>th</sup> day of January, 2011.



Adam Hamm  
Commissioner  
N.D. Insurance Department  
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