

STATE OF MAINE
BUREAU OF INSURANCE
DOCKET NO. INS-18-220

IN RE Arbor Re LLC)	
)	CONSENT AGREEMENT
)	FOR CONDITIONAL
)	LICENSURE
)	

Arbor Re LLC (“ARR” or “the Captive”), the Maine Superintendent of Insurance, and the Maine Office of the Attorney General hereby enter into this Consent Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) to resolve, without an adjudicatory proceeding, issues arising out of ARR’s application for licensure by the Superintendent as a pure captive insurance company.

STIPULATIONS

ARR is applying for authority to establish and operate a pure captive insurance company in the State of Maine pursuant to 24-A M.R.S. Chapter 83 (the “Act”).

The Superintendent is the official charged with administering and enforcing Maine’s insurance laws, including the Act.

In its application, ARR requests authority to <<confidential information redacted>>.

The Superintendent has determined that ARR has complied with the requirements of the Act, except with regard to <<confidential information redacted>>, for which further information is necessary in order to complete the review of the application. Accordingly, the Superintendent is prepared to issue ARR a captive insurance company license to establish and operate a pure captive insurance company, subject to the conditions stated below.

COVENANTS

The parties agree to the following:

- A. The Captive may commence writing <<confidential information redacted>> on October 1, 2018 for the <<confidential information redacted>> coverages only.
- B. The captive is conditionally approved to commence <<confidential information redacted>> as of December 1, 2018, subject to the provision of information acceptable to the Superintendent.
- C. The Captive will be required to maintain surplus of <<confidential information redacted>>. The initial surplus shall consist of <<confidential information redacted>>.
- D. The Captive will provide <<confidential information redacted>> claim loss reports, by line of business, on a Superintendent-prescribed format, at <<confidential information redacted>> confidence level.
- E. The Captive will provide advance notice and will need the Superintendent's prior authorization for any dividends, surplus distributions, or withdrawals for anything other than claim payments and claim related expenses.
- F. The Captive will at all times comply with the requirements for operation as a pure captive insurance company as defined in 24-A M.R.S. § 6701(11). The Captive will provide advance notice and will need the Superintendent's prior authorization for the addition of any new members.
- G. Final executed copies of the policies, the bylaws, and the charter shall be filed in a form acceptable to the Superintendent on or before January 1, 2019.
- H. A formal hearing in this matter is waived and no appeal will be taken.
- I. The Superintendent agrees to issue a captive insurance company license to ARR, and ARR agrees that the Superintendent has the discretion to revoke or suspend its captive insurance company license, or place ARR on probation, if ARR fails to comply with its obligations under this Consent Agreement.

MISCELLANEOUS

1. ARR understands and acknowledges that this Agreement is a public record within the meaning of 1 M.R.S.A. §402 and will be available for public inspection and copying as provided for by 1 M.R.S.A. §408.
2. It is understood by the parties to this Agreement that nothing herein shall affect any rights or interests that any person not a party to this Agreement may possess.

September 28, 2018

// s //
Arthur Batson III, Director
Arbor Re LLC

Subscribed to before me this 28th day of September, 2018.

// s //
Kathryn Buxton
Notary Public

My Commission Expires: September 24, 2022

September 28, 2018

// s //
Eric A. Cioppa
Superintendent of Insurance

September 28, 2018

// s //
Thomas Sturtevant
Assistant Attorney General