

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 31, 2022

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COMMONWEALTH OF VIRGINIA, *ex rel.*
STATE CORPORATION COMMISSION

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v.

CASE NO. INS-2022-00141

WESTFIELD INSURANCE COMPANY and
WESTFIELD NATIONAL INSURANCE COMPANY,
Defendants

SETTLEMENT ORDER

Based on a market conduct investigation conducted by the Bureau of Insurance ("Bureau"), the Bureau has alleged that Westfield Insurance Company and Westfield National Insurance Company (collectively, "Defendants"), duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia, in certain instances violated § 38.2-2206 A of the Code of Virginia ("Code") by issuing or delivering policies of motor vehicle insurance without an endorsement or provisions for uninsured or underinsured motorist insurance coverage.

The Commission is authorized by §§ 38.2-218, 38.2-219 and 38.2-1040 of the Code to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke a defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that a defendant has committed the aforesaid alleged violations.

The Defendants have been advised of the right to a hearing in this matter whereupon the Defendants, without admitting or denying any violation of Virginia law, have made an offer of settlement to the Commission. Through their settlement offer, the Defendants have agreed to comply with the corrective action plan outlined in company correspondence dated

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April 26, 2021, August 2, 2021 and September 6, 2022; have confirmed that restitution was made to five consumers in the total amount of One Hundred Eight Thousand Eight Hundred Eight Dollars and One Cent (\$108,808.01); have tendered to the Treasurer of Virginia the sum of Five Thousand Dollars (\$5,000); and have waived the right to a hearing.

The Bureau has recommended that the Commission accept the Defendants' settlement offer pursuant to the authority granted the Commission in § 12.1-15 of the Code.

NOW THE COMMISSION, having considered this matter, is of the opinion and finds that the Defendants' settlement offer should be accepted.

Accordingly, IT IS ORDERED THAT:

- (1) The Defendants' settlement offer is hereby accepted.
- (2) This case is dismissed.

A COPY hereof shall be sent by the Clerk of the Commission by electronic mail to: Eric Epley, Assistant General Counsel, Westfield Group, at ericepley@westfieldgrp.com, One Park Circle, Westfield Circle, Ohio 44251-5001; and a copy shall be delivered to the Commission's Office of General Counsel and the Bureau of Insurance in care of Deputy Commissioner Rebecca Nichols.