

FEB 05 2019

DELAWARE INSURANCE DEPT
FRONT DESK

**BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF DELAWARE**

IN THE MATTER OF:)	
)	
ALLIANZ LIFE INSURANCE)	
COMPANY of NORTH AMERICA)	
)	DOCKET NO. 4018-2019
NAIC #90611)	
)	
5701 Golden Hills Drive)	
Minneapolis, MN 55416-1297)	

STIPULATION AND CONSENT ORDER

THIS STIPULATION AND CONSENT ORDER is entered into as of
FEB. 5TH, 2019, by and between Allianz Life Insurance Company of
North America (“Respondent”) and the State of Delaware Department of Insurance (“the
Department”). Respondent and the Department are collectively referred to herein as the
“Parties.”

WHEREAS, Respondent is a life and annuity insurance company incorporated under
Minnesota law and authorized to conduct the business of insurance in the State of Delaware; and

WHEREAS, the Department, through its examiners, conducted a target market conduct
examination (“Examination”) of Respondent’s affairs and practices as of January 30, 2017; and

WHEREAS, the Department, through its examiners, prepared and provided to
Respondent for review and comment draft versions of the Examination report; and

WHEREAS, Respondent has reviewed and commented on such draft versions of the
Examination report; and

WHEREAS, after considering Respondent's comments, the Department, through its examiners, has prepared a final report of the Examination, dated as of July 30, 2018 ("Final Examination Report"); and

WHEREAS, among other findings contained in the Final Examination Report, the Department found instances when the Respondent did not comply with;

18 *Del. Admin. C.* § 9021.2.1.2- Authority for Regulation (1 instance).

18 *Del. Admin. C.* § 1204 – 5.2.1- Duties of Agents and Brokers (1 instance).

18 *Del. Admin. C.* § 1204 – 7.1.2.2- Duties of Insurers That Use Agents and Brokers (15 instances).

WHEREAS, after communications with the Department, Respondent desires to resolve this matter without recourse to any administrative hearing or court action (such as an appeal).

NOW, THEREFORE, IT IS AGREED, by and between Respondent and the Department as follows:

1. For the purpose of resolving the Examination, Respondent accepts the Final Examination Report, waives any right to a hearing thereon, and agrees that the Department may file the Final Examination Report without any further modifications.

2. Upon execution of this Stipulation and Consent Order, Respondent shall pay to the Department an administrative penalty for the Notice Violations in the amount of Thirteen Thousand and Five Hundred Dollars (\$ 13,500.00). Respondent shall make its check for the administrative penalty payable to the "State of Delaware."

3. Respondent waives any right to challenge in an administrative or court proceeding any of the terms and conditions of this Stipulation and Consent Order.

4. This Stipulation and Consent Order is the free and voluntary act of Respondent, and its terms are binding upon Respondent and may be admitted into evidence in any judicial or

administrative proceeding against Respondent to enforce such terms. Respondent acknowledges that it has had a full opportunity to seek and receive advice of counsel on all matters related to this Stipulation and Consent Order.

5. This Stipulation and Consent Order contains all of the terms and conditions agreed to by the parties and constitutes the final agreement between Respondent and the Department.

6. No change, amendment, or modification hereto shall be effective or binding unless it is in writing, dated, and signed by the parties.

7. If the Department fails to act on any one or more defaults by Respondent, such failure to act shall not be a waiver of any rights hereunder on the part of the Department to declare Respondent in default and to take such action as may be permitted by this Stipulation and Consent Order or by law.

8. This Stipulation and Consent Order may be signed in duplicate, and both documents shall be considered originals. The person executing this Stipulation and Consent Order on behalf of Respondent shall acknowledge his or her signature before a Notary Public and, by executing this Stipulation and Consent Order, certifies that he or she is duly authorized to execute this Stipulation and Consent Order on behalf of Respondent. Respondent agrees that an uncertified copy of this Stipulation and Consent Order shall be valid as evidence in any proceeding for purposes of enforcement.

9. This Stipulation and Consent Order shall survive Respondent and be enforceable against its successors, transferors, or assigns.

[Signature Page Follows]

