

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

**IN THE MATTER OF:** )  
 )  
**FIRST AMERICAN TITLE** )  
**INSURANCE COMPANY** )  
 ) **DOCKET NO. 4159-2019**  
**NAIC #50814** )  
 )  
**1 First American Way** )  
**Santa Ana, CA 92707** )

**STIPULATION AND CONSENT ORDER**

**THIS STIPULATION AND CONSENT ORDER** is entered into as of Oct. 16, 2019, by and between the First American Title Insurance Company (“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 title insurance company domiciled in the State of Nebraska 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 December 31, 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 December 31, 2017 ("Final Examination Report"); and

**WHEREAS**, among other findings contained in the Final Examination Report, the Department concluded that the Respondent's practices and procedures did not comply with;

18 Del. C. § 1703 – License Required.

18 Del. C. § 1715(a) – (b) – Appointments.

18 Del. C. § 2517 – Adherence to Filings.

**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. 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 Thirty Six Thousand Dollars (\$ 36,000.00). 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. This Stipulation and Consent Order does not constitute an admission of liability or wrongdoing by Respondent.

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]***

FIRST AMERICAN TITLE  
INSURANCE COMPANY

DELAWARE INSURANCE DEPARTMENT



Print Name: JAMES O. NELSON  
Title: SVP  
Date: 10/11/2019



TRINIDAD NAVARRO  
Insurance Commissioner  
Date: 10/16/19

Witness to Respondent's Signature

Name: Denise Clause  
Title: Paralegal  
Date: 10/11/2019

STATE OF California )  
 ) SS.  
COUNTY OF Orange )

The foregoing instrument was acknowledged before me this 11 day of October 2019, by Kristine Ann Furman, who is personally known to me or who has produced James Nelson as identification, and who certified that he or she is duly authorized to execute this document on behalf of Respondent.

GIVEN under my Hand and Seal of office, the day and year aforesaid.

  
NOTARY PUBLIC

Kristine Ann Furman  
PRINT NAME



July 13, 2023  
MY COMMISSION EXPIRES

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Orange )

On October 11, 2019 before me, Kristine Ann Furman  
(insert name and title of the officer)

personally appeared James Nelson,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

(Seal)

