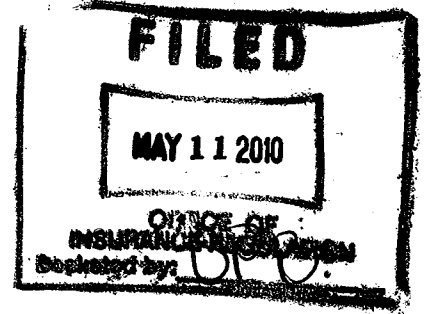




OFFICE OF INSURANCE REGULATION



KEVIN M. MCCARTY
COMMISSIONER

IN THE MATTER OF:

CASE NO.: 109147-10

MAG MUTUAL INSURANCE COMPANY
Workers' Compensation Excess Profits

FINAL ORDER

THIS CAUSE came before the undersigned Commissioner of the Office of Insurance Regulation for consideration of final agency action. On or about March 19, 2010, the Office of Insurance Regulation, (hereinafter referred to as the "OFFICE"), provided Notice to MAG MUTUAL INSURANCE COMPANY (hereinafter referred to as "MAG MUTUAL") that pursuant to Section 627.215, Florida Statutes, MAG MUTUAL data submitted to the OFFICE indicated that MAG MUTUAL has realized excessive profits for the statutory period covering calendar/accident years 2005, 2006 and 2007, in the amount of One Hundred Thirty Two Thousand Six Hundred Eighteen Dollars and No/100 (\$132,618.00). The OFFICE simultaneously notified MAG MUTUAL of its right to request a hearing to challenge the OFFICE'S findings as indicated in the Notice, pursuant to Sections 120.569 and 120.57, Florida Statutes. MAG MUTUAL received the OFFICE'S Notice on March 23, 2010, and has not responded to the Notice.

Upon careful consideration of the record in this matter and being otherwise advised in the premises, it is ORDERED:

1. MAG MUTUAL has realized, and therefore owes to applicable policyholders, excessive profits for calendar/accident years 2005, 2006 and 2007, in the amount of One Hundred Thirty Two Thousand Six Hundred Eighteen Dollars and No/100 (\$132,618.00), pursuant to Section 627.215, Florida Statutes.

2. MAG MUTUAL shall provide refunds or policy renewal credits to policyholders in the amount of One Hundred Thirty Two Thousand Six Hundred Eighteen Dollars and No/100 (\$132,618.00) for calendar/accident years 2005, 2006 and 2007, as provided in Section 627.215, Florida Statutes, on or before the sixtieth (60th) day after which this Final Order is executed.

3. MAG MUTUAL shall attempt to locate policyholders whose refund checks are returned and MAG MUTUAL shall thereafter report and process any unclaimed excessive profits funds as unclaimed or abandoned property, pursuant to the provisions of Chapter 717, Florida Statutes.

4. Pursuant to Section 627.215(12)(b), Florida Statutes, MAG MUTUAL shall upon completion of the renewal credits or refund payments, immediately certify to the OFFICE that the refunds have been made. Additionally, MAG MUTUAL shall also certify that it has attempted to locate policyholders whose refund checks are returned and that it has complied with the abandoned property provisions of Chapter 717, Florida Statutes, if necessary.

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a Notice of Appeal with

the General Counsel, Office of Insurance Regulation, acting as the Agency Clerk, at 612 Larson Building, Tallahassee, Florida 32399-4206, and a copy of the same and the filing fee with the appropriate District Court of Appeal within thirty (30) days of the rendition of this Order.

DONE and ORDERED this 11TH day of MAY, 2010.



A handwritten signature in black ink, appearing to read "Kevin M. McCarty". The signature is written over a horizontal line.

KEVIN M. MCCARTY
Commissioner
Office of Insurance Regulation

COPIES FURNISHED TO:

DARRELL ORMOND GRIMES, PRESIDENT
Mag Mutual Insurance Company
8 Piedmont Center NE, Suite 600
Atlanta, GA 30305-1565

JAMES D. WATFORD, ACTUARY
Property & Casualty Product Review
Office of Insurance Regulation
200 East Gaines Street
Tallahassee, Florida 32399

CHRISTOPHER L. MEADOWS, ASSISTANT GENERAL COUNSEL
Office of Insurance Regulation
Legal Services Office, Room 645-A-1
200 East Gaines Street
Tallahassee, FL 32399-4206