

STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION

Before the Commissioner of Financial and Insurance Regulation

In the matter of:

Office of Financial and Insurance Regulation

Enforcement Case No. 09-7152

Petitioner,

v

Activa Benefit Services, LLC
System I.D. No. 0025804

Respondent

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Issued and entered
on 6/3/2010
by Stephen R. Hilker
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. Findings of fact and conclusions of law

1. Pursuant to Section 36(1) of the Third Party Administrator Act (the "TPAA"), MCL 550.936(1), Respondent was required to file its annual statement (Statement) with the Office of Financial and Insurance Regulation (OFIR) on or before March 1, 2008.
2. Contrary to Section 36(1) of the TPAA, Respondent filed its Statement with OFIR on July 24, 2008.
3. Respondent has violated Section 36(1) of the TPAA, MCL 550.936(1), by failing to promptly file its Statement with OFIR.

B. Order

Based on the findings of fact and conclusions of law above and Respondent's stipulation, the Chief Deputy Commissioner ORDERS that:

1. Respondent shall immediately cease and desist from operating in such a manner as to violate Section 36(1) of the Third Party Administrator Act, MCL 550.936(1).
2. Henceforth, Respondent shall annually file its Statements on or before March 1 of the year following that covered by the Statement.

3. Respondent shall pay to the state of Michigan, through the Office of Financial and Insurance Regulation, a fine in the amount of \$250.00. The fine shall be paid within 30 days of the date of entry of this Order.



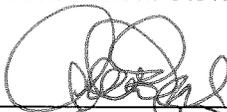
Stephen R. Hilker
Chief Deputy Commissioner

C. STIPULATION

I, ALLAN D. ENGEL, acting on behalf of Activa Benefit Services, LLC have read and understand the proposed Consent Order above. I also enter into this Stipulation on behalf Activa Benefit Services, LLC. Activa Benefit Services, LLC agrees that the Chief Deputy Commissioner has jurisdiction and authority to issue this Consent Order pursuant to the Third Party Administrator Act, MCL 550.901 *et seq.*, and the Administrative Procedures Act of 1969, MCL 24.201 *et seq.* Activa Benefit Services, LLC voluntarily waives the right to a hearing in this matter if this Consent Order is issued. Activa Benefit Services, LLC understands that this Stipulation and Consent Order will be presented to the Chief Deputy Commissioner for approval and that the Chief Deputy Commissioner may or may not issue this Consent Order. Activa Benefit Services, LLC waives any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved. Henceforth, Activa Benefit Services, LLC agrees to comply with the requirements of the Third Party Administrator Act. Activa Benefit Services, LLC admits to the findings of fact and conclusions of law as set forth in the above Consent Order, and consents to the entry of the Consent Order.

Dated: April 19, 2010

Activa Benefit Services, LLC



By: ALLAN D. ENGEL
Its: Chief Operating Officer.

The Office of Financial and Insurance Regulation staff approves this stipulation and recommends that the Chief Deputy Commissioner issue the above Consent Order.

Dated: 6/4/2010



Marlon F. Roberts,
Staff Attorney