

**VIRGINIA:  
IN THE WORKERS' COMPENSATION COMMISSION**

**In re: Guarantee Insurance Company, Insurer**

**ORDER**

WHEREAS Guarantee Insurance Company, an insurance company domiciled in Florida, was engaged in the business of insurance in Virginia, including writing workers' compensation insurance policies subject to the provisions of the Virginia Workers' Compensation Act; and

WHEREAS, on November 27, 2017 the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida entered an Order appointing the Florida Department of Financial Services as Receiver of Guarantee Insurance Company for Purposes of Liquidation, Injunction, and Notice of Automatic Stay, Case No.: 2017 CA 2421, finding sufficient grounds for an order to liquidate Guarantee Insurance Company; and

WHEREAS, the Florida Circuit Court Order of Liquidation, Injunction, and Notice of Automatic Stay issued November 27, 2017 is sufficient to determine Guarantee Insurance Company is an "insolvent insurer" pursuant to Virginia Code § 38.2-1603 (2017); and

WHEREAS, Virginia Code § 38.2-1616 provides a stay of "[a]ll proceedings in which the insolvent insurer is a party or is obligated to defend a party in any court in this Commonwealth" for up to six months and such additional time as may be determined to permit a proper defense by the Virginia Property and Casualty Insurance Guaranty Association of all pending causes of action;

WHEREAS, the Commission previously entered an Order staying proceedings through January 15, 2018 but reasonably anticipates necessary time delays in assignment of pending claims to the Virginia Property and Casualty Insurance Guaranty Association; and

THEREFORE, the Commission ORDERS a stay of all current claims administration activities and judicial activities involving Guarantee Insurance Company, excluding only

voluntary and permissible alternative dispute activities, for THIRTY DAYS from the date of this ORDER. The Virginia Property and Casualty Insurance Guaranty Association may make voluntary payment of benefits on pending claims without waiving the benefit of this Stay; and

It is further ORDERED that the Virginia Property and Casualty Insurance Guaranty Association be added as a party to all pending claims in which Guarantee Insurance Company is named as the insurer.

ENTERED this 16<sup>th</sup> day of January, 2018



---

Wesley G. Marshall, Commissioner



---

R. Ferrell Newman, Commissioner



---

Robert A. Rapaport, Commissioner