

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF THE TRANSFER )  
OF DOMICILE AND WITHDRAWAL OF )  
PROGRESSIVE FREEDOM INSURANCE ) ORDER  
COMPANY )

This matter having been opened by the Commissioner of the New Jersey Department of Banking and Insurance (“Commissioner”) pursuant to N.J.S.A. 17:1-15, and 17:17-20b, and all powers expressed or implied therein, and upon the application of Progressive Freedom Insurance Company (“Progressive Freedom” or the “insurer”) for approval to transfer its domicile from the State of New Jersey to the State of Ohio in connection with its withdrawal from transacting business in this State; and

IT APPEARING that the insurer is a domestic stock insurer domiciled in the State of New Jersey; and

IT FURTHER APPEARING that pursuant to N.J.S.A. 17:17-20b a domestic insurer may, upon the written approval of the Commissioner, transfer its domicile to any state in which it is admitted to transact the business of insurance; and

IT FURTHER APPEARING that, in 2015, the insurer filed an informational filing to withdraw from the private passenger automobile (“PPA”) market in this State pursuant to N.J.S.A. 17:17-10 and N.J.A.C. 11:2-29; and

IT FURTHER APPEARING that, by letter dated September 15, 2015, the Department approved the insurer’s request for waivers of the requirements set forth in N.J.S.A. 17:17-10b(2) and 17:33B-30a(2) (the one-year and 90-day waiting period for commencement of non-renewals); N.J.S.A. 17:17-10b(3) and 17:33B-30a(3) (the requirement to send non-renewal notices no later

than one year prior to the dates of non-renewals); and N.J.S.A. 17:17-10b(4) and 17:33B-30a(4) (the maximum three-year non-renewal period), pursuant to N.J.A.C. 11:2-29.4(a)2, subject to various conditions; and

IT FURTHER APPEARING that the insurer has filed an application to redomesticate to the State of Ohio, a jurisdiction where the insurer is admitted to transact the business of insurance; and

IT FURTHER APPEARING that, consistent with its withdrawals from the New Jersey PPA insurance market as set forth above, the insurer will not seek to be admitted in this State after its transfer of domicile to the State of Ohio; and

IT FURTHER APPEARING that the withdrawal and proposed redomestication are part of a general restructuring plan of the insurer and the Progressive Group; and

IT FURTHER APPEARING that the State of Ohio Department of Insurance has issued the insurer a no objection letter regarding the proposed redomestication; and

IT FURTHER APPEARING that the insurer has no active insurance policies in this State; and

IT FURTHER APPEARING that the run-off of any remaining claims will be handled by another licensed affiliate(s) of Progressive Freedom; and

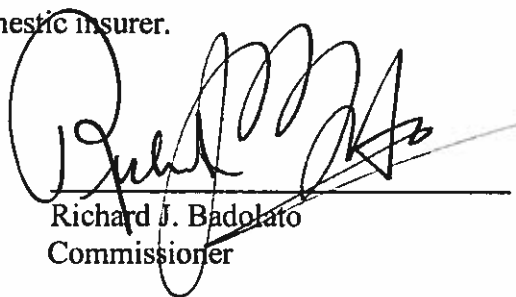
IT FURTHER APPEARING that no facts or circumstances that provide any legal authority for the Commissioner to disapprove the insurer's request to transfer its domicile to the State of Ohio.

THEREFORE IT IS on this 1<sup>st</sup> day of November, 2017

ORDERED that the application of the insurer to transfer its domicile to the State of Ohio is hereby approved, subject to the following conditions:

1. The transfer of domicile shall not be construed to alter either the existing respective rights, franchises and interests, or the duties, obligations and liabilities of the insurer, except as otherwise provided by law. The insurer shall continue to be subject to all the liabilities, claims and demands against it that were in existence prior to the transfer of domicile. Any action or proceeding pending at the time of the consummation of the process by which the domicile is transferred in which the insurer is a party shall not abate or discontinue by reason of the transfer of domicile; but shall be prosecuted to a final resolution in the same manner as if the transfer of domicile had not taken place; and

2. At the effective time of the transfer, the insurer will surrender its New Jersey certificate of authority and cease to be a New Jersey domestic insurer.



Richard J. Badolato  
Commissioner

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