

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

**IN THE MATTER OF
THE ILLEGAL INSURANCE ACTIVITIES
OF UNIMED, PROFESSIONAL LIABILITY
INSURANCE COMPANY, LTD.,
PLIC CLAIMS MANAGEMENT, INC.
MEDICAL RISK ASSOCIATES, RPG, LTD., AND
WILLIAM A. LEDEE, III**

AID ORDER NO. 2005- 067

CEASE AND DESIST ORDER

Now on this day comes before Julie Benafield Bowman, the Insurance Commissioner for the State of Arkansas ("Commissioner"), the matter of the unauthorized insurance activities of Unimed, Professional Liability Insurance Company, Ltd. (PLIC), PLIC Claims Management, Inc., Medical Risk Associates, RPG, Ltd., and William A. Ledee, III (Ledee)(collectively, "Respondents"). From the facts and law before the Commissioner, she finds as follows:

JURISDICTION

1. The Commissioner has jurisdiction over Respondents and the subject matter involved herein pursuant to Ark Code Ann. § 23-61-103 and other state laws.
2. Unimed has two (2) known addresses: 650 Village Trace Northeast in Marietta, Georgia, and 6025 Sandy Springs Circle in Atlanta, Georgia. Unimed holds no Arkansas insurance licenses or registrations.
3. PLIC has an address at 6025 Sandy Springs Circle in Atlanta, Georgia. PLIC has never held an Arkansas certificate of authority.
4. Ledee gives his address as 650 Village Trace in Marietta, Georgia. The Department believes that Ledee also has an address at 6151 Powers Ferry Road in

Atlanta, Georgia. Ledee has identified himself as the agent of "Unimed Insurance" and "P.L.I.C. (Professional Liability Insurance Corp.)." Based on the Department's information and belief, Ledee uses several aliases, including "Mishima Murasaki." Based on the Department's information and belief, Ledee is the owner/controller, and alter-ego of all Respondents named herein. Ledee holds no Arkansas insurance licenses or registrations.

5. PLIC Claims Management, Inc. has two (2) known addresses: 650 Village Trace in Marietta, Georgia, and 6065 Roswell Road, Suite 1186, in Atlanta, Georgia. This entity holds no Arkansas insurance licenses or registrations.

6. Medical Risk Associates, RPG, Ltd. is located at 48 Par-la-Ville Road, Suite 378, in Hamilton HM 11, Bermuda. This entity has no Arkansas licenses or registrations.

FINDINGS OF FACT

7. Dr. Rufus Thrower, an Arkansas resident physician, received a mailer from Unimed urging him to call Unimed for a quote on medical malpractice insurance. This solicitation occurred in March 2002, to the Department's information and belief. Dr. Thrower purchased coverage.

8. On December 31, 2002, PLIC issued a Medical Professional Liability Certificate of Insurance to Baptist Health with "Rufus Thrower, Jr., MD" listed as the named insured. The policy period was to run from 12/21/02 through 12/31/03. The Certificate states that the claims are to be administered by "PLIC Claims Management, Inc." The Certificate is signed by "Mishima Murasaki" as the "Authorized Representative."

9. Dr. Thrower made the following premium payments for the coverage:

- a. Check #16373, dated 12/28/02, made payable to "Professional Liability Ins. Co." in the amount of \$9,382.00
- b. Check #16433, dated 1/31/03, made payable to "Professional Liability Ins. Co. Ltd." in the amount of \$8,882.00
- c. Check #16497, dated 3/5/03, made payable to "Professional Liability Ins. Co., LTD" in the amount of \$8,882.00
- d. Check #16548, dated 4/2/03, made payable to "Professional Liability Ins. Co., LTD" in the amount of \$8,882.
- e. Check #16630, dated 5/8/03, made payable to "P.L.I.C." in the amount of \$8,882.
- f. Check #16695, dated 6/9/03, made payable to "PLIC, LTD" in the amount of \$8,882.
- g. Check #16774, dated 7/7/03, made payable to "PLIC, LTD" in the amount of \$8,882.
- h. Check #16839, dated 8/7/03, made payable to "Professional Liability Ins. Co. LTD." in the amount of \$8,882.
- i. Check #16915, dated 9/9/03, made payable to "Professional Liability insurance Company, LTD" in the amount of \$8,882.
- j. Check #16983, dated 10/8/03, made payable to "Professional Liability Insurance Company, LTD" in the amount of \$8,882.

10. On November 3, 2003, Medical Risk Associates, RPG, Ltd. sent Dr. Thrower a renewal questionnaire pertaining to his Unimed coverage. The letter was unsigned but contained the typed name of "Mishima Murasaki" as "Vice President."

11. Ledee has been indicted for various types and counts of fraud in the United States District Court for the Northern District of Georgia, Atlanta Division. His trial date is set for December 2005.

CONCLUSIONS OF LAW

12. For acting as an agent with regard to an Arkansas risk without an Arkansas producer's license, Unimed is in violation of Ark. Code Ann. § 23-64-201(a)(effective until July 1, 2002);

13. For providing insurance coverage to an Arkansas resident without a certificate of authority, PLIC is in violation of Ark. Code Ann. §23-63-201(a).

14. For all alleged actions, Ledee is in violation of Ark. Code Ann. §§ 23-64-201(a)(effective until July 1, 2002), 23-63-201(a), 23-64-201(c) (effective July 1, 2002), 23-64-503, 23-65-101(a)(1)(2001), and 23-65-101(2)(A)(2001).

15. For acting as an insurance adjustor on an Arkansas risk without an Arkansas insurance adjustor's license, PLIC Claims Management, Inc. is in violation of Ark. Code Ann. §§23-64-201(c) and 23-65-101(2)(A)(2001).

16. For acting as an agent with regard to an Arkansas risk without an Arkansas producer's license, Medical Risk Associates, RPG, Ltd. is in violation of Ark. Code Ann. §23-64-503 (effective July 1, 2002);

THEREFORE, having determined that it would be in the best interest of the people of the State of Arkansas, the Commissioner hereby orders:

A. Respondents shall immediately cease and desist the writing of insurance coverages in Arkansas;

B. Respondents shall immediately cease and desist holding themselves out as licensed or registered insurance professionals in Arkansas.

C. Respondents shall not transact any insurance business in Arkansas of any type without the prior express written permission of the Arkansas Insurance Department;

IT IS SO ORDERED THIS 16th day of December, 2005.


JULIE BENAFIELD BOWMAN
INSURANCE COMMISSIONER
STATE OF ARKANSAS