

DEPARTMENT OF INSURANCE

STATE OF WYOMING

WYOMING INSURANCE DEPARTMENT,)
)
) **Petitioner,**)
)
) **vs.**)
) **W&R Insurance Agency, Inc.**)
) **6300 Lamar Avenue**)
) **Shawnee Mission, Kansas 66202,**)
)
) **Respondent.**)

Docket 06-09

MOTION TO DISMISS

COMES NOW the Wyoming Insurance Department, acting by and through James S. Mitchell, Staff Attorney, who hereby moves the Wyoming Insurance Commissioner for an Order Dismissing the Petition and Order to Show Cause against Respondent W&R Insurance Agency, Inc., 6300 Lamar Avenue, Shawnee Mission, Kansas 66202. As cause for this Motion the Wyoming Insurance Department states as follows:

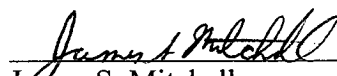
Matters Common to all Counts.

1. The Respondent W&R Insurance Agency, Inc. was the named party in Wyoming Insurance Department Docket No. 05-12. Said action was for Wyoming approval and entry of a Consent Order resulting from a Multi-State Examination.
2. The Wyoming Consent Order incorporated the Multi-State Examination Consent Order negotiated by the states of Kansas and Minnesota and all provisions therein including payments to Wyoming customers.
3. The Wyoming Consent Order was signed and filed on June 24, 2005.
4. Each of the counts listed in the Petition for an Order to Show Cause in the present action (Docket No. 06-09) has been determined to be a later individual state filing of the Multi-State Examination Consent Order (Docket 05-12).
5. Although not expressly stated in the Multi-State Consent Order nor in the Wyoming Consent Order, it would be unjust to require the Respondent to notify each and every state of the subsequent filing of the consent order in all other states agreeing to accept the Multi-State Examination results.

FILED
 INSURANCE DEPARTMENT
 DATE *July 5, 2006*
 BY *A. R. Tom Hilbelon*

WHEREFORE, the Wyoming Insurance Department respectfully prays the Wyoming Insurance Commissioner enter an Order Dismissing with Prejudice the Petition filed in Wyoming Insurance Department Docket No. 06-09.

Dated this 2nd day of June, 2006.



James S. Mitchell
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