



**THE STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

21 SOUTH FRUIT STREET SUITE 14
CONCORD, NEW HAMPSHIRE 03301

Roger A. Sevigny
Commissioner

Alexander K. Feldvebel
Deputy Commissioner

**Commissioner's Order
Rehabilitation of ACA Assurance
August 12, 2009
Assessments on Policies Assumed by Union Vie**

In accordance and consistent with: (i) votes of the board of directors of ACA Assurance ("ACA") taken on September 4, 7 and 18, 2008 authorizing a policy assessment; (ii) an Order of the New Hampshire Superior Court, Merrimack County (the "Court") dated September 8, 2008 similarly authorizing a policy assessment; (iii) my assessment order dated September 18, 2008 imposing an assessment; (iv) the non-objection to the assessment expressed by the L'Autorite des Marches Finances (the "AMF") on February 12, 2009; (v) the non-objection to the terms of the Amended and Restated Assumption Reinsurance Agreement between ACA Assurance and L'Union-Vie compagnie mutuelle d'assurance, Assumed Policies in Canada (the "Union Vie Agreement") by the board of directors of ACA on April 9, 2009; (vi) the order of the Court approving the terms of the Union Vie Agreement dated May 13, 2009; (vii) the terms of the Union Vie Agreement dated May 30, 2009; (viii) the approval of the New Hampshire Insurance Department of the Union Vie Agreement and the transactions contemplated thereby dated July 7, 2009; and (ix) the approval by OSFI-BSIF and the Minister of Finance (Canada) of the Union Vie Agreement and the transactions contemplated thereby dated July 29, 2009.

IT IS HEREBY ORDERED:

That, pursuant to and consistent with the foregoing and with the terms of the Union Vie Agreement, the twenty-five percent (25%) assessment on the ACA policies to be assumed by L'Union-Vie compagnie mutuelle d'assurance under the Union Vie Agreement shall become permanent as of the Effective Date. Terms not defined in this Order shall have the meanings set forth in the Union Vie Agreement.

So ordered,



Roger A. Sevigny, Commissioner