



Texas Department of Insurance

General Counsel and Chief Clerk, Mail Code 113-2A
333 Guadalupe • P. O. Box 149104, Austin, Texas 78714-9104

STATE OF TEXAS

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COUNTY OF TRAVIS

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The Commissioner of Insurance, as the chief administrative and executive officer and custodian of records of the Texas Department of Insurance has delegated to the undersigned the authority to certify the authenticity of documents filed with or maintained by or within the custodial authority of the Office of the Chief Clerk of the Texas Department of Insurance, excluding records relevant to an inquiry, if any, by the Texas Department of Insurance's Insurance Fraud Unit.

Therefore, I hereby certify that the attached document is a true and correct copy of the document described below. I further certify that the document described below is filed with or maintained by or within the custodial authority of the Office of the Chief Clerk of the Texas Department of Insurance.

The certified document consists of a complete copy of:

Official Order No. 08-0690 of the Commissioner of Insurance
of the State of Texas, dated July 30, 2008
consisting of five (5) pages;

Subject considered:

UNITED TITLE OF TEXAS
Austin, Texas

CHAPTER 404 ORDER BY CONSENT

This certification does not include records relevant to an inquiry, if any, by the Texas Department of Insurance's Insurance Fraud Unit which are confidential pursuant to Tex. Ins. Code art. §701.151, §5(a) and an Op. Tex. Att'y Gen. No. OR95-1536 (1995).

IN TESTIMONY WHEREOF, witness my hand and seal of office at Austin, Texas, this



30th day of July A.D. 2008

MIKE GEESLIN
COMMISSIONER OF INSURANCE

By Angela Arizpe
Angela Arizpe
Executive Assistant
Texas Department of Insurance

No. 08-0690

OFFICIAL ORDER
of the
COMMISSIONER OF INSURANCE
of the
STATE OF TEXAS
AUSTIN, TEXAS

Date: JUL 30 2008

Subject Considered:

UNITED TITLE OF TEXAS
Austin, Texas

CHAPTER 404 ORDER BY CONSENT

General remarks and official action taken:

On this day the Commissioner of Insurance (the "Commissioner") considered whether he should place UNITED TITLE ("RESPONDENT") under a Chapter 404 order with its consent. RESPONDENT is a title agency engaged in the business of insurance in Texas.

Based on current circumstances, it appears to the Commissioner that RESPONDENT is in a condition that makes the continuation in business hazardous to the public. This opinion is based, in part, upon information gathered by, and received by, staff of the Texas Department of Insurance (the "Department"), indicating that: (a) RESPONDENT has ceased operations in the business of title insurance in Texas and has laid off substantially all employees; and (b) RESPONDENT has failed to comply with notice and other provisions of Administrative Rule D.1 of the Basic Manual of Rules, Rates and Form for the Writing of Title Insurance in the State of Texas (the "Basic Manual").

RESPONDENT has agreed to the entry of this Order. As shown by the signature of its authorized representative, RESPONDENT acknowledges the Commissioner's jurisdiction and authority, as well as the rights to issuance and service of notice of hearing, a public hearing, a proposal for decision, rehearing by the Commissioner of Insurance, review by the Department, and judicial review, and waives these rights. RESPONDENT knowingly and voluntarily agree to the entry of this Order, which will informally dispose of this matter pursuant to the provisions of TEX. INS. CODE ANN. §§ 36.104 and 82.051 - 82.055, TEX. GOV. CODE ANN. § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.

THEREFORE, the Commissioner ORDERS that RESPONDENT remedy its condition and that Angel Garrett be, and hereby is, designated as the Commissioner's Representative at RESPONDENT to apply and effect the provisions of this Order.

The Commissioner FURTHER ORDERS that RESPONDENT shall not do any of the following acts without the prior written approval of the Commissioner's Representative while this Order remains in effect:

1. dispose of, convey, or encumber any assets or business in force;
2. withdraw money from any bank accounts;
3. lend or invest any money;
4. transfer any property;
5. incur any debt, obligation or liability;
6. merge or consolidate with another company;
7. conduct any closings; or
8. solicit or accept any new business.

The Commissioner FURTHER ORDERS that this Order shall remain in effect until RESPONDENT has met the following requirements:

1. RESPONDENT shall cooperate with affected underwriters and Department staff, including providing access to all files and providing access to escrow funds, until such time as all files have been surrendered to the appropriate underwriter and all escrow funds have been transferred or distributed, as appropriate;
2. RESPONDENT shall submit a written plan designed to facilitate an orderly wind-down and ensure compliance with all applicable Texas law, including all requirements related to reimbursing escrow receivables and any other escrow shortages and all requirements for ceasing operations as established by the Basic Manual, to the Supervisor for her review and approval; further, RESPONDENT must implement the plan immediately upon receiving the Supervisor's approval;
3. RESPONDENT must demonstrate that it has complied with this Chapter 404 Order by Consent;
4. RESPONDENT's books and records must be accessible; specifically, RESPONDENT and its underwriters must allow the Supervisor to examine their books, papers, accounts, records, and affairs;
5. RESPONDENT's must demonstrate that its books and records are in current condition and accurately reflect the condition of the escrow funds; specifically, RESPONDENT must demonstrate that it maintained separate and distinct accounting of escrow funds and maintained the required escrow account of trust funds separate and apart from all other accounts pursuant to TEX. INS. CODE § 2651.301(7);

6. RESPONDENT must demonstrate that it has adequately accounted for the receipt, deposit, and disbursement of all escrow funds in accordance with TEX. INS. CODE ANN. § 2651.202;
7. RESPONDENT must demonstrate that all escrow receivables and other escrow shortages have been reimbursed by the appropriate party or from RESPONDENT's operating account within 45 days from the closing date of the bank statement of the account that reflects the transaction creating the escrow receivable or shortage;
8. RESPONDENT must demonstrate that it has not misappropriated, converted to its own use, or illegally withheld money belonging to a title insurance company, agent, or any other person, in accordance with TEX. INS. CODE art. § 2651.301(4); and
9. RESPONDENT must demonstrate that it has not exceeded its powers as set forth in TEX. INS. CODE art. § 441.052.

The Commissioner FURTHER ORDERS that this Order be, and is, binding on RESPONDENT and on any parent, subsidiaries, affiliates, officers, directors, employees, agents, and attorneys, and any persons in active concert or participation with them or who receive actual or constructive notice of this Order by any means.

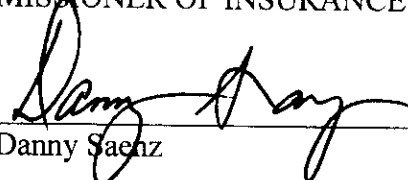
The Commissioner FURTHER ORDERS that the Commissioner may collect fees sufficient to cover the cost of rehabilitating RESPONDENT and may determine the terms of collection or repayment of these fees.

The Commissioner FURTHER ORDERS that nothing in this Order shall ratify any action taken by RESPONDENT or by any parent, subsidiary, affiliate, officer, director, employee, agent, or attorney, nor shall it express the Commissioner's or the Department's approval of any such action. Furthermore, nothing in this Order shall prevent the Commissioner or the Department from initiating any proceeding, taking any action, seeking any remedy, or pursuing any right, at any time.

The Commissioner FURTHER ORDERS that a certified copy of this Order be deposited with the United States Postal Service as certified mail, return receipt requested, addressed to United Title of Texas, 8310 N. Capital of Texas Highway, Suite 200, Austin, Texas 78731, such being the last and best known address of each, as shown by the Department's records.

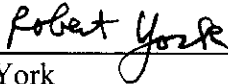
MIKE GEESLIN
COMMISSIONER OF INSURANCE

By: _____


Danny Saenz

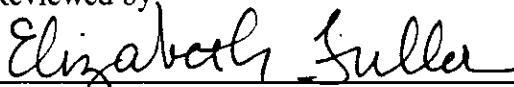
Senior Associate Commissioner
Financial Program
Commissioner's Order No. 07-0988

Reviewed by:



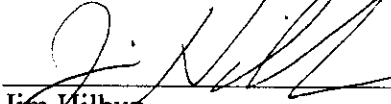
Robert York
Director, Title Examinations
Property & Casualty Program

Reviewed by:



Elizabeth Fuller
Chief, Financial Counsel Section
Legal Services Division

Agreed as to form and substance:



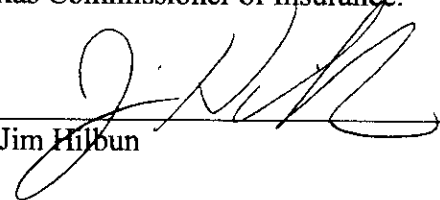
Jim Hilbun
United Title of Texas
Southwest Regional President
Chairman/CEO

STATE OF TEXAS §
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COUNTY OF Travis §

Affidavit

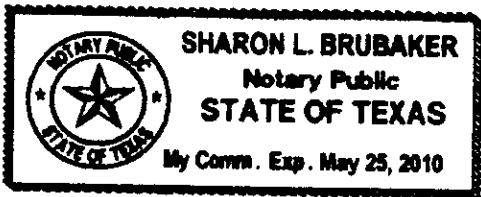
Jim Hilbun personally appeared before me, the undersigned notary public, and stated the following after being sworn:


1. "My name is Jim Hilbun. I am of sound mind, am capable of making this statement, and am personally acquainted with the facts stated herein.
2. "I am the Southwest Regional President of United Title of Texas. As such, I am authorized to make this statement, and I agree to and execute this Consent Order on behalf of United Title of Texas.
3. "United Title of Texas agrees with and consents to the issuance and service of the foregoing Consent Order to be entered by the Texas Commissioner of Insurance."



Jim Hilbun

SWORN TO AND SUBSCRIBED before me, the undersigned authority, by Jim Hilbun, Southwest Regional President of United Title of Texas on July 30, 2008.





Signature of Notary Public
Notary Public in and for the State of Texas
My Commission Expires: _____