FILED

APR 10 2025

INSURANCE REGULATION
Docketed by: EP

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

Index: OIR 2025-41

IN THE MATTER OF:

CASE NO.: 401210-25-CO

AMERICAN MOBILE INSURANCE EXCHANGE
_____/

THIRD CONSENT ORDER
EXTENDING PERIOD OF PUBLIC ADMINISTRATIVE SUPERVISION

THIS CAUSE came for consideration as a result of discussions between the FLORIDA OFFICE OF INSURANCE REGULATION ("OFFICE") and AMERICAN MOBILE INSURANCE EXCHANGE ("AMERICAN MOBILE") subsequent to entering into a consent order placing it in public administrative supervision for a period of 120 days in Consent Order 326102-24-CO ("Supervision Order"), which was filed on April 15, 2024. Prior to the expiration of that 120-day period, the parties agreed to a 120-day extension in Consent Order 400188-24-CO. Prior to the expiration of that 120-day period, the parties agreed to a second 120-day extension in Consent Order 400691-24-CO. Following a complete review of the entire record, and upon consideration thereof, and otherwise being fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter and the parties herein.

2. AMERICAN MOBILE is a domestic property and casualty reciprocal insurer authorized to transact property and casualty insurance in Florida through a subsisting Certificate of Authority issued by the OFFICE. AMERICAN MOBILE is operated by its attorney-in-fact, American Mobile Risk Management, LLC, a Florida limited liability company.

3. Paragraph 12 of the Supervision Order states as follows:

> 12. AMERICAN MOBILE has been cooperative with the OFFICE and agrees to be placed in public administrative supervision for a period of 120 days from the date of execution of this Consent Order and to be subject to the provisions of Sections 624.81-.87, Florida Statutes, as if an order were issued by the OFFICE. Administrative supervision shall be administered so as to facilitate the payment of covered losses, reasonable loss adjustment expenses, the return of unearned premium, the return of unearned subscribers' surplus contributions, and reasonable expenses to administer the Plan. Such administrative supervision may be extended in 60-day increments at the OFFICE's sole discretion for as long as is necessary for the company to effectuate an orderly wind-down of its remaining liabilities.

4. Administrative supervision of AMERICAN MOBILE is currently set to expire on April 10, 2025.

5. Section 624.81(8), Florida Statutes, provides that the OFFICE "may extend the supervision in increments of 60 days or longer…if conditions justifying supervision exist." The OFFICE has determined that grounds exist to extend the period of administrative supervision of AMERICAN MOBILE.

6. As of the date of the execution of this Consent Order, AMERICAN MOBILE agrees that conditions exist that necessitate an additional period of administrative supervision.

7. AMERICAN MOBILE hereby consents to an additional period of administrative supervision of 120 days from the date of execution of this Consent Order.

8. AMERICAN MOBILE hereby knowingly and voluntarily waives the requirement of written notice under section 624.81(1) and agrees that any timelines outlined in this Consent Order will be binding, notwithstanding any timelines provided for in section 624.81.

9. AMERICAN MOBILE agrees that all terms of the Supervision Order shall apply and remain in full force and effect, except as superseded by this Consent Order.

10. Any prior orders, consent orders, or corrective action plans that AMERICAN MOBILE has entered into with the OFFICE prior to the execution of this Consent Order shall

apply and remain in full force and effect for AMERICAN MOBILE, except where provisions of such orders, consent orders, or corrective action plans have expired, other than the Supervision Order as indicated above in paragraph 3; have been superseded by subsequent orders, consent orders, or corrective action plans; or are inconsistent with this Consent Order.

11. AMERICAN MOBILE agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OFFICE suspending, revoking, or taking other administrative action as it deems appropriate upon AMERICAN MOBILE's Certificate of Authority in this state in accordance with sections 120.569(2)(n) and 120.60(6), Florida Statutes.

12. AMERICAN MOBILE affirms that all representations made herein are true and all requirements set forth herein are material to the issuance of this Consent Order.

13. In accordance with section 624.87, Florida Statutes, AMERICAN MOBILE agrees to pay to the OFFICE all expenses of supervision incurred subsequent to the date of execution of this Consent Order.

14. Except as provided in paragraph 13 above, each party to this action shall bear its own costs and fees.

15. AMERICAN MOBILE expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OFFICE, and all further and other proceedings herein to which it may be entitled by law or rules of the OFFICE. AMERICAN MOBILE hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum available to it, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

16. The parties agree that this Consent Order shall be deemed to be executed when the OFFICE has signed a copy of this Consent Order bearing the signature of the authorized representative of AMERICAN MOBILE, notwithstanding the fact that the copy may have been transmitted to the OFFICE electronically. Further, AMERICAN MOBILE agrees that the signature of its authorized representative as affixed to this Consent Order shall be under the seal of a Notary Public.

WHEREFORE, because the FLORIDA OFFICE OF INSURANCE REGULATION has determined that conditions justifying administrative supervision continue to exist, the administrative supervision of AMERICAN MOBILE INSURANCE EXCHANGE is hereby agreed to be extended for 120 days from the date of execution of this Consent Order. All other provisions of Consent Order 326102-24-CO remain unchanged by this Consent Order.

FURTHER, all terms and conditions contained herein are hereby ORDERED.

DONE and ORDERED this 10th day of April, 2025.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, AMERICAN MOBILE INSURANCE EXCHANGE consents to entry of this Consent Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind AMERICAN MOBILE INSURANCE EXCHANGE to the terms and conditions of this Consent Order. The undersigned also certifies that they have provided the signature below voluntarily and without coercion, based upon the assistance of legal counsel for AMERICAN MOBILE INSURANCE EXCHANGE.

AMERICAN MOBILE INSURANCE EXCHANGE

By: _____

[Corporate Seal]

Print Name: Jeffrey P. LeGare

Title: President

of AMERICAN MOBILE RISK MANAGEMENT, LLC, Attorney-in-Fact

Date: April 9, 2025

STATE OF: TEXAS

COUNTY OF: DALLAS

The foregoing instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization, this 9th day of April 2025, by Jeffrey P. LeGare (name of person)

as Attorney-in-Fact (type of authority; e.g., officer, trustee, attorney-in-fact) for American Mobile Insurance Exchange (company name).

SHARON MACHELLE MURPHY
Notary Public, State of Texas
Comm. Expires 06-22-2028
Notary ID 124031136

Sharon Machelle Murphy
(Signature of the Notary)

Sharon Machelle Murphy
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires 6/22/2028

COPIES FURNISHED TO:

WES STRICKLAND, ESQUIRE
Strickland Law, PLLC
213 Summerbrooke Drive
Tallahassee, FL 32312
Email: wes@strickland.law

CLAUDE MUELLER
Strickland Law, PLLC
213 Summerbrooke Drive
Tallahassee, FL 32312
Email: claude@strickland.law

JEFFREY LEGARE, PRESIDENT
American Mobile Risk Management, LLC
6170 Central Avenue North, #300
St. Petersburg, FL 33707
Email: jlegare@americanmobileinsurance.com

JANE NELSON, DIRECTOR
Florida Office of Insurance Regulation
200 East Gaines Street
Tallahassee, FL 32399
Email: jane.nelson@floir.com

SHANNON SEAGRAVES, ASSISTANT GENERAL COUNSEL
Florida Office of Insurance Regulation
200 East Gaines Street,
Tallahassee, FL 32399
Phone: (850) 413-4213
Email: michelle.seagraves@floir.com