



STATE OF NEW YORK
INSURANCE DEPARTMENT
25 BEAVER STREET
NEW YORK, NEW YORK 10004

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In the Matter of

**FIDELITY NATIONAL TITLE GROUP, INC., CHICAGO
TITLE INSURANCE COMPANY, FIDELITY NATIONAL
TITLE INSURANCE COMPANY, NATIONAL TITLE
INSURANCE OF NEW YORK INC., NATIONS TITLE
INSURANCE OF NEW YORK INC., TICOR TITLE
INSURANCE COMPANY and TICOR TITLE
INSURANCE COMPANY OF FLORIDA,**

**STIPULATION
No. 2006-0123-S**

Respondents.
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WHEREAS, Respondent Fidelity National Title Group, Inc. is a Delaware corporation with its principal place of business in Jacksonville, Florida, and is a holding company within the meaning of Article 15 of the New York Insurance Law ("Insurance Law") which wholly owns and controls Respondents Chicago Title Insurance Company, Fidelity National Title Insurance Company, National Title Insurance of New York Inc., Nations Title Insurance of New York Inc., Ticor Title Insurance Company and Ticor Title Insurance Company of Florida, which are title insurance corporations authorized to transact title insurance business in the State of New York;

WHEREAS, pursuant to the provisions of Executive Law § 63 (12), General Business Law § 349 and the common law of the State of New York, the office of Eliot Spitzer, Attorney General of the State of New York ("OAG") caused an investigation to be made of Fidelity National Title Group, Inc. and its insurance subsidiaries (collectively, "FNTG") including Chicago Title and Trust Company, Chicago Title Insurance Company, Fidelity National Title Insurance Company, Ticor Title Insurance Company, Nation's Title Insurance of New York Inc., Ticor Title Insurance Company of Florida, and National Title Insurance of New York Inc. (collectively, "FNTG's New York Subsidiaries") relating to the payment of rebates and certain referral fees in or from the State of New York; and the Superintendent of Insurance of the State of New York ("Superintendent") and the New York State Insurance Department ("Department"), pursuant to the provisions of Insurance Law §§ 305, 309, 310, 2301 *et seq.* and 6401 *et seq.*, conducted an investigation of FNTG and its insurance subsidiaries on the same subject

matter (together, both investigations are referred to as the "Investigation") and also conducted an examination of Respondents Chicago Title Insurance Company and Fidelity National Title Insurance Company on the subject matter of the Investigation and the manner in which Respondents Chicago Title Insurance Company and Fidelity National Title Insurance Company conduct their business practices and fulfill their contractual obligations to policyholders and claimants (the "Examination");

WHEREAS, the Investigation has been resolved pursuant to an Assurance of Discontinuance Pursuant to Executive Law § 63(15), dated May 23, 2006 (the "Assurance"), a copy of which is annexed hereto and incorporated herein;

WHEREAS, the Examination is continuing and has not yet been resolved;

WHEREAS, the Investigation has resulted in certain findings of fact regarding the business practices of the Respondents, as set forth in the Assurance;

WHEREAS, based upon the aforementioned findings of fact, the Attorney General and the Superintendent have determined that Respondents have violated New York law by paying illegal rebates and referral fees, and by submitting inaccurate information to the Department relating thereto;

WHEREAS, based upon the foregoing, Respondents may be charged with violations of the Insurance Law and/or Department Regulations;

WHEREAS, Respondents have been advised and are aware of their statutory right to notice and a hearing on any such charges;

WHEREAS, Respondents are cooperating with the Investigation and the Examination and have adopted and under the Assurance and this Stipulation will continue to implement a number of business reforms and remedial actions;

WHEREAS, the Superintendent finds the relief and agreements contained in the Assurance and this Stipulation appropriate and in the public interest; and

WHEREAS, Respondents desire to resolve any such possible charges related to the Investigation by entering into a Stipulation on the terms and conditions hereinafter set forth in lieu of proceeding with a hearing in this matter; **NOW THEREFORE**,

IT IS HEREBY STIPULATED AND AGREED by and between the Respondents and the Department, subject to the approval of the Superintendent, as follows:

1. Respondents waive their right to further notice and hearing in this matter, and agree to fully comply with all of the terms and conditions of the Assurance.
2. This Stipulation shall resolve all issues resolved in the Assurance. The parties each reserve all their rights with respect to any additional determinations or actions the Superintendent may take on issues not resolved in the Assurance.

THE FOREGOING STIPULATION IS HEREBY APPROVED.

Dated: New York, NY
May 23, 2006

HOWARD MILLS
Superintendent of Insurance

By:



Susan Donnellan
Deputy General Counsel