



**The State of New Hampshire
Insurance Department**

21 South Fruit Street, Suite 14
Concord, NH 03301
(603) 271-2261 Fax (603) 271-1406
TDD Access: Relay NH 1-800-735-2964

Christopher R. Nicolopoulos
Commissioner

David J. Bettencourt
Deputy Commissioner

**State of New Hampshire
Insurance Department**

In re: Customer Engineering Services

Docket No.: 20-079-AP

ORDER ON MOTION TO VACATE

On or about February 3, 2022, Mitsui Sumitomo Insurance USA, Inc. (Respondent) filed an Assented-to Motion to Vacate (Motion) the New Hampshire Insurance Department's Final Decision and Order (Order), dated August 5, 2021. The Department issued that Order after a two day, virtual hearing that began on March 22, 2021 and after the Hearing Officer, Michelle Heaton, issued her Proposed Decision and Order on June 9, 2021.

In support of its Motion the Respondent asserts that after the Respondent appealed to the New Hampshire Supreme Court (Court), the Respondent and Customer Engineering Services, LLC (Petitioner) entered into a settlement agreement. As part of the settlement agreement, the Respondent agreed to withdraw its appeal and the Petitioner agreed to assent to the Respondent's Motion to Vacate the Department's Order.

The Department has not received any objections to the Motion, which would have been due by this time. See Ins 205.05(f). On February 22, 2022, the Department received the Court's certified order, dated February 3, 2022, granting the Respondent's assented-to motion to withdraw its appeal *with prejudice*.

In light of the foregoing and Ins 207.01(a), which permits parties to settle matters at any stage of a proceeding, the Department grants the Motion.

SO ORDERED.

2-23-2022
Date



Christopher Nicolopoulos, Commissioner