

(3) AN OFFICER, DIRECTOR, MANAGER, TRUSTEE, ORGANIZER, PROMOTER, OR ATTORNEY-IN-FACT OF AN INSURER AGAINST WHICH A DELINQUENCY PROCEEDING HAS BEEN COMMENCED, IN AN ACTION RESULTING FROM OR INCIDENTAL TO THE PERSON'S RELATIONSHIP WITH THE INSURER;

(4) A PERSON THAT, AT THE TIME OF OR AFTER COMMENCEMENT OF THE DELINQUENCY PROCEEDING, HELD OR WAS IN CONTROL OF ASSETS IN WHICH THE RECEIVER CLAIMS AN INTEREST ON BEHALF OF THE INSURER, IN AN ACTION CONCERNING THE ASSETS; AND

(5) A PERSON OBLIGATED TO THE INSURER IN ANY WAY, IN AN ACTION ON OR INCIDENTAL TO THE OBLIGATION.

(C) VENUE.

THE VENUE OF ALL DELINQUENCY PROCEEDINGS IS IN BALTIMORE CITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 133(a), (b), and (e).

In subsection (a)(1) of this section, the former reference to the "equity" jurisdiction of the Circuit Court of Baltimore City is deleted in light of Md. Rule 2-301, which provides that there shall be one form of action known as "civil action". The Committee Note to Md. Rule 2-301 states that the effect of this Rule is to eliminate distinctions between law and equity for purposes of pleadings, parties, court sittings, and dockets, but that the Rule does not affect the right to jury trial.

Defined terms: "Agent" § 1-101

"Broker" § 1-101

"Delinquency proceeding" § 9-201

"Insurer" § 1-101

"Person" § 1-101

"Policy" § 1-101

"Receiver" § 9-201

"Reinsurance" § 1-101

9-210. COMMENCEMENT OF DELINQUENCY PROCEEDINGS.

(A) APPLICATION FOR SHOW CAUSE ORDER.

THE COMMISSIONER SHALL COMMENCE A DELINQUENCY PROCEEDING AGAINST AN INSURER BY APPLYING TO THE COURT FOR AN ORDER THAT DIRECTS THE INSURER TO SHOW CAUSE WHY THE COURT SHOULD NOT GRANT THE RELIEF REQUESTED.

(B) ACTION BY COURT.

(1) THE COURT MAY CONSIDER AN APPLICATION FOR COMMENCEMENT OF A DELINQUENCY PROCEEDING ONLY IF THE APPLICATION IS FILED BY THE COMMISSIONER IN THE NAME OF THE STATE.