

(2) THE TERM "PERSON" AS USED IN THIS SECTION SHALL INCLUDE ANY PERSON WHO EXERCISES CONTROL DIRECTLY OR INDIRECTLY OVER ACTIVITIES OF THE INSURER THROUGH ANY HOLDING COMPANY OR OTHER AFFILIATE OF THE INSURER.

(3) "TO COOPERATE" AS USED IN THIS SECTION INCLUDES:

(I) TO REPLY PROMPTLY IN WRITING TO ANY INQUIRY FROM THE COMMISSIONER REQUESTING SUCH A REPLY; AND

(II) TO MAKE AVAILABLE TO THE COMMISSIONER ANY BOOKS, ACCOUNTS, DOCUMENTS, RECORDS, INFORMATION, OR PROPERTY OF OR PERTAINING TO THE INSURER WHICH IS IN HIS POSSESSION, CUSTODY, OR CONTROL.

(B) NO PERSON MAY OBSTRUCT OR INTERFERE WITH THE COMMISSIONER IN THE CONDUCT OF ANY DELINQUENCY PROCEEDING OR ANY INVESTIGATION PRELIMINARY OR INCIDENTAL THERETO.

(C) THIS SECTION SHALL NOT BE CONSTRUED TO ABRIDGE OTHERWISE EXISTING LEGAL RIGHTS, INCLUDING THE RIGHT TO RESIST A PETITION FOR LIQUIDATION, OTHER DELINQUENCY PROCEEDINGS, OR OTHER ORDERS.

(D) ANY PERSON INCLUDED WITHIN SUBSECTION (A) OF THIS SECTION WHO FAILS TO COOPERATE WITH THE COMMISSIONER, WHO OBSTRUCTS OR INTERFERES WITH THE COMMISSIONER IN THE CONDUCT OF ANY DELINQUENCY PROCEEDING OR ANY INVESTIGATION PRELIMINARY OR INCIDENTAL THERETO, OR WHO VIOLATES ANY ORDER THE COMMISSIONER VALIDLY ISSUED UNDER THIS SUBTITLE MAY:

(1) BE SENTENCED TO PAY A FINE NOT EXCEEDING \$10,000 OR TO UNDERGO IMPRISONMENT FOR A TERM OF NOT MORE THAN 1 YEAR OR BOTH; OR

(2) AFTER A HEARING, BE SUBJECT TO:

(I) THE IMPOSITION BY THE COMMISSIONER OF A CIVIL PENALTY NOT TO EXCEED \$10,000; AND

(II) THE REVOCATION OR SUSPENSION OF ANY INSURANCE LICENSES ISSUED BY THE COMMISSIONER.

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EXCEPT WHEN ALL PAYMENTS OF OR ON ACCOUNT OF THE INSURER'S CONTRACTURAL OBLIGATIONS, ALONG WITH ALL EXPENSES THEREOF AND INTEREST, HAVE BEEN REPAID TO ALL GUARANTY ASSOCIATIONS, OR A PLAN OF REPAYMENT BY THE INSURER HAS BEEN