

APPROVED BY THE GUARANTY ASSOCIATION, AN INSURER THAT IS SUBJECT TO ANY DELINQUENCY PROCEEDINGS, ~~WHETHER ADMINISTRATIVE OR JUDICIAL~~, MAY NOT:

(1) UNLESS SUCH PROCEEDING IS CONVERTED INTO A JUDICIAL REHABILITATION OR LIQUIDATION PROCEEDING, BE RELEASED FROM SUCH PROCEEDING;

(2) BE PERMITTED TO SOLICIT OR ACCEPT NEW BUSINESS OR REQUEST OR ACCEPT THE RESTORATION OF ANY SUSPENDED OR REVOKED LICENSE OR CERTIFICATE OF AUTHORITY;

(3) BE RETURNED TO THE CONTROL OF ITS SHAREHOLDERS OR PRIVATE MANAGEMENT; OR

(4) HAVE ANY OF ITS ASSETS RETURNED TO THE CONTROL OF ITS SHAREHOLDERS OR PRIVATE MANAGEMENT.

135C.

(A) EXCEPT WHEN NECESSARY TO OBTAIN COMPLIANCE WITH A COURT ORDER, ALL DOCUMENTS AND RECORDS THAT PERTAIN TO PROCEEDINGS UNDER § 135 OF THIS SUBTITLE ARE CONFIDENTIAL, INCLUDING:

- (1) RECORDS OF THE INSURER;
- (2) INSURANCE DIVISION FILES; AND
- (3) COURT RECORDS AND PAPERS.

(B) ALL DOCUMENTS AND RECORDS FILED WITH THE COURT SHALL BE HELD BY THE CLERK OF THE COURT IN A CONFIDENTIAL FILE.

(C) AFTER HEARING ARGUMENTS FROM THE PARTIES, THE COURT MAY ORDER THAT ANY DOCUMENTS OR RECORDS BE MADE PUBLIC.

136.

The Commissioner may apply to the court for an order [appointing him as receiver of and] directing ~~him~~ THE COMMISSIONER OR CONSERVATOR to CONSERVE OR rehabilitate a domestic insurer OR AN ALIEN INSURER DOMICILED IN THIS STATE upon one or more of the following grounds. That the insurer:

- (1) Is impaired or insolvent;
- (2) Has refused to submit any of its PROPERTY, books, records, [accounts] ACCOUNTS, or affairs, OR THE PROPERTY, BOOKS, RECORDS, ACCOUNTS, OR AFFAIRS OF ANY SUBSIDIARY OR RELATED COMPANY WITHIN ITS CONTROL, to reasonable examination by the Commissioner, his deputy or examiner;
- (3) Has concealed or removed records or assets;