

TITLE 4: ECONOMIC RESOURCES
DIVISION 7: INSURANCE

§ 7405. Filing and Proving of Claims of Nonresidents Against Delinquent Insurers Domiciled in the Commonwealth.

(a) In a delinquency proceeding begun in the Commonwealth against an insurer domiciled in the Commonwealth, claimants residing in reciprocal states may file claims either with the ancillary receivers, if any, in their respective states, or with the domiciliary receiver. All such claims must be filed on or before the last date fixed for the filing of claims in the domiciliary delinquency proceedings.

(b) Controverted claims belonging to claimants residing in reciprocal states may either:

(1) Be proved in the Commonwealth as provided by law; or

(2) If ancillary proceedings have been commenced in such reciprocal states, may be proved in those proceedings. In the event a claimant elects to prove his or her claim in ancillary proceedings, if notice of the claim and opportunity to appear and be heard is afforded the domiciliary receiver of this Commonwealth, as provided in 4 CMC § 7406, the final allowance of such claim by the courts in the ancillary state shall be accepted in the Commonwealth as conclusive as to its amount and shall also be accepted as conclusive as to its priority, if any, against special deposits or other security located within the ancillary state.

Source: PL 3-107, § 23, modified.

Commission Comment: See the comment to 4 CMC § 7401.