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Attorney for the CSI

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE  
OFFICE OF THE MONTANA STATE AUDITOR**

<p>IN THE MATTER OF:</p> <p>AgriCap Assurance Protected Cell 2022-4, a Utah corporation,</p> <p>and</p> <p>American Harvest LLC Protected Cell 2021-002, a Montana limited liability company.</p> <p>Applicants.</p>	<p>CASE NO. INS-2022-349</p> <p><b>NOTICE OF PROPOSED MERGER AND OPPORTUNITY TO PROVIDE PUBLIC COMMENT</b></p>
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**PLEASE TAKE NOTICE:**

On October 26, 2022, the Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), received a complete proposed merger application, including a plan and agreement for merger, proposing the merger of American Harvest LLC Protected Cell 2021-002, a Montana limited liability company (“American Harvest”) with and into AgriCap Assurance Protected Cell 2022-4, a Utah Corporation (“AgriCap”). AgriCap will be the surviving company from the merger. American Harvest approved this transaction by unanimous consent of its board of directors and sole shareholder respectively. AgriCap approved this

transaction by unanimous consent of its board of directors and sole shareholder respectively.


Pursuant to the authority set forth in Mont. Code Ann. § 33-28-111(1), the CSI is providing notice to the public prior to approval or disapproval of the merger in place of holding a hearing.

The Commissioner will approve the proposed merger within a reasonable time after receipt and review of comments, if any, unless the CSI determines that the agreement and plan for merger: a) is contrary to law; b) is unfair or inequitable to the shareholder(s) of the domestic insurer, American Harvest, involved in this merger; or c) would substantially reduce the security of and service to be rendered to policyholders of the domestic insurer, American Harvest, in Montana or elsewhere. Mont. Code Ann. §§ 33-3- 217(2), 33-28-111(3)(b).

Concerned persons may submit their comments or other information on the proposed merger in writing no later than 5:00 p.m., MST, Friday, November 18, 2022, to:

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DATED this 3<sup>rd</sup> day of November, 2022.



**TROY DOWNING**  
Commissioner of Securities and Insurance  
Office of the Montana State Auditor

cc: AgriCap Assurance  
American Harvest LLC