

CARLO CANTY

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Attorney for the Commissioner of Securities and Insurance

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

IN THE MATTER OF:

**BERNHARDT RISK MANAGEMENT,
INC., A MONTANA CORPORATION**

and

**SECURE INDEMNITY CO., A
MONTANA CORPORATION**

Applicants.

CASE NO. INS-2023-00325a

**NOTICE OF PROPOSED MERGER
AND OPPORTUNITY TO PROVIDE
PUBLIC COMMENT**

PLEASE TAKE NOTICE:

On November 14, 2023, the Commissioner of Securities and Insurance, Office of the Montana State Auditor (“CSI”), received a complete Merger Agreement (“Agreement”), including a plan and agreement for merger, proposing the merger of Bernhardt Risk Management, Inc., a Montana corporation (“BRM”) with and into Secure Indemnity Co., a Montana corporation (“SIC”). If the proposed merger is approved, SIC will be the surviving company. BRM directors and shareholders authorized the transaction contemplated by this Agreement. SIC shareholders approved this transaction.

Pursuant to the authority set forth in Mont. Code Ann. § 33-28-111(1), 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 CSI determines that the agreement and plan for merger: a) is contrary to law; b) is inequitable to the stockholders [or shareholders] of any domestic insurer involved in this merger; or c) would substantially reduce the security of and service to be rendered to policyholders of the domestic insurer, BRM, 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, December 8, 2023, to:

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DATED this 30th day of November, 2023.



MARY BELCHER
Deputy Montana State Auditor

cc: Bernhardt Risk Management, Inc.
Secure Indemnity Co.