**BEFORE THE COMMISSIONER OF THE**
**TENNESSEE DEPARTMENT OF COMMERCE AND INSURANCE**

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| **IN RE:** | ) | |
| | ) | **Doc. No: 12.28-096177A** |
| **AUSTERMILLER, INC. and** | ) | |
| **TRAVELERS INSURANCE CO.** | ) | **WC Appeal - Insurance** |
| | ) | |

**ORDER OF COMPROMISE AND SETTLEMENT**

As evidenced by the signatures of counsel below, the parties have compromised and settled all claims in the above-captioned dispute. The appeal lodged by the Insured, Austermiller, Inc. ("Austermiller"), against the Insurer, Travelers Insurance Company ("Travelers"), in this dispute regarding premium allegedly owed under the 2005-2006 policy period for the Workers' Compensation and Employers Liability Policy issued by Travelers (Policy No. 7PJUB-7398B54-2-05) shall be and is dismissed with prejudice. Travelers' demand for Austermiller to pay premiums allegedly accrued under this policy period has also been settled.

Austermiller further agrees to allow Travelers or its agent to conduct an in-person audit on Austermiller for the 2006-2007 policy period. The entry of this Order of Compromise and Settlement shall have no effect whatsoever on the 2006-2007 policy period, and Austermiller reserves all rights to appeal Travelers' premium audit determination regarding the same, if necessary. Travelers reserves all of its rights in this regard.

Costs of this appeal are taxed against Austermiller, for which execution may issue, if necessary.

**IT IS SO ORDERED.**

**ENTER:** this 15th day of June, 2009.

**THE HONORABLE LYNN M. ENGLAND,**
**ADMINISTRATIVE LAW JUDGE**

**AGREED AND APPROVED:**

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