



IN THE MATTER OF THE FINANCIAL INSTITUTIONS ACT

R.S.B.C. 1996, C. 141

and

DATA GATHERING SERVICE INC. dba FIRST CANADIAN PROTECTION PRODUCTS (ALBERTA), and its directors DONALD ALBERT WHEATON, WILLIAM G. WHEATON, and DAVID J. WHEATON

0769510 B.C. LTD. dba PENTICTON HONDA and its directors and officers RICHARD SENTES and DAVID DEMPSTER

MILLENNIUM INSURANCE CORPORATION

**CONSENT ORDER AND UNDERTAKINGS
[VARIANCE OF APRIL 7, 2009 ORDER]**

WHEREAS DATA GATHERING SERVICE INC. dba FIRST CANADIAN PROTECTION PRODUCTS (ALBERTA) and MILLENNIUM INSURANCE CORPORATION and Staff of the Superintendent of Financial Institutions consent to the following variance and Undertakings with respect to the April 7, 2009 Order issued in this matter;

I HEREBY ORDER:

1. That the Order of April 7, 2009 and findings therein are confirmed subject to the following variations to the Order and Undertakings pursuant to section 208 of the *Financial Institutions Act* ("Act"):
 - a) Millennium Insurance Corporation ("Millennium") undertakes to proceed with assuming direct underwriting responsibility and becoming the obligator for all certificates currently in-force that were sold in the Province of British Columbia through Data Gathering Service Inc. Millennium will report to the Superintendent by May 15, 2009 to confirm that Millennium has assumed responsibility or otherwise seek further extension of time to comply with the Order of April 7, 2009 in this regard;

Superintendent of Financial Institutions

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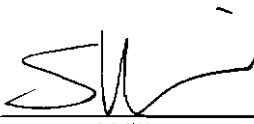
- b) Upon completion of the terms of 1(a) above, Millennium undertakes that all claims with regard to products sold by or issued by Data Gathering Service Inc. in the Province of British Columbia will be adjusted and paid directly by Millennium;
- c) Millennium undertakes to review the method of sale in the Province of British Columbia of the Platinum Security Protection Guarantee anti-theft warranty, and any other similar products, at the dealerships where it was sold and to report its findings to the Superintendent by May 29, 2009;
- d) Millennium undertakes that it will advise its clients and sales agents that the sale of its automobile anti-theft warranty products in the Province of British Columbia cannot be sold as a requirement in connection with the sale of an automobile. Should evidence arise that confirms such activity takes place, Millennium undertakes to no longer permit the sale of its products through or in connection with that dealer;
- e) The provisions of the April 7, 2009 Order which order that the sale of the Platinum Security Protection Guarantee by unlicensed sales persons (i.e. 0769510 B.C. Ltd. dba Penticton Honda) is stayed until June 26, 2009 so long as the following terms and undertakings are complied with:
 - i) By May 5, 2009, or as otherwise further agreed by the Superintendent upon the application by Millennium, Millennium will present the Superintendent of Financial Institutions with a proposal acceptable to the Superintendent on how Millennium will change its current policy and processes in order to be compliant with the requirements of the Act and the Insurance Act; and
 - ii) By May 15, 2009, or as otherwise agreed to by the Superintendent of Financial Institutions upon the application of Millennium, Millennium will confirm how its proposal will meet with the requirements of the Insurance Council of British Columbia;

2. Data Gathering Service Inc. and Millennium Insurance Corporation waive their right to appeal the Order of April 7, 2009 and this order, or otherwise seek judicial review.

CONSENTED TO BY:


DATA GATHERING SERVICE INC.
dba FIRST CANADIAN PROTECTION PRODUCTS
By its authorized signatory


MILLENNIUM INSURANCE CORPORATION
By its authorized signatory


Sandra A. Wilkinson
Counsel for the
STAFF OF THE SUPERINTENDENT OF FINANCIAL INSTITUTIONS

CONSENTED TO AND UNDERTAKINGS ACCEPTED
at the City of Surrey,
Province of British Columbia
this 24th day of April, 2009.


C. Michael Grist
Acting Superintendent of Financial
Institutions, Province of British Columbia