

CONCLUSIONS OF LAW

1
2 1. The conduct alleged in the Notice constitutes grounds for the Director to
3 suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona,
4 pursuant to A.R.S. §20-295(A).

5 **ORDER**

6 IT IS ORDERED:

7 1. The insurance license held by Respondent is revoked effective upon the
8 issuance of this Order.

9 2. The hearing set for May 27, 2008 at 9:00 a.m. is vacated.

10 DATED this 5th day of May, 2008.

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12 
13 _____
CHRISTINA URIAS, Director
Arizona Department of Insurance

14 COPY of the foregoing mailed this
15 7th day of May, 2008 to:

16 Michael Wales, Administrative Law Judge
17 Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007

18 Steven Fromholtz, Licensing Supervisor
19 Mary Butterfield, Assistant Director
Catherine O'Neil, Legal Affairs
20 Mary Kosinski, Executive Assistant for Regulatory Affairs
Arizona Department of Insurance
21 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

22 Sarah C. Neiswonger
23 125 E. Guadalupe, Apt. 222
Gilbert, Arizona 85234
24 Respondent

25 
26 _____
Curvey Burton

1 A clear and accurate record of the proceedings will be made either by a court reporter
2 or by electronic means. A.R.S. §41-1092.07(E). If you want a copy of an electronic recording,
3 you must contact the Office of Administrative Hearings at (602) 542-9826. If the hearing was
4 transcribed by a court reporter and you want a copy of the transcript, you must pay the cost of
the transcript to the court reporter or other transcriber

5 If you have questions concerning this Notice of Hearing please direct them to Mary
6 Kosinski, Arizona Department of Insurance, (602) 364-3471, 2910 North 44th Street, Suite 210,
7 Phoenix, Arizona 85018.

8 **NOTICE OF APPLICABLE RULES**

9 On January 23, 1992, we adopted the rules of practice and procedure applicable in
10 contested cases before the Director of Insurance. The hearing will be conducted pursuant to
these rules. A.A.C. R20-6-101 through R20-6-115.

11 YOU MUST FILE A WRITTEN RESPONSE (ANSWER) TO THE ALLEGATIONS IN
12 THIS NOTICE WITH US WITHIN **20** DAYS AFTER WE ISSUE THIS NOTICE. A.A.C.
13 R20-6-106. YOUR RESPONSE SHOULD STATE YOUR POSITION OR DEFENSE AND
14 SHOULD SPECIFICALLY ADMIT OR DENY EACH ASSERTION IN THE NOTICE. IF YOU
15 DO NOT SPECIFICALLY DENY AN ASSERTION, WE WILL CONSIDER IT ADMITTED. ANY
DEFENSE YOU DO NOT RAISE WILL BE CONSIDERED WAIVED.

16 IF YOU DO NOT FILE YOUR RESPONSE ON TIME, WE WILL CONSIDER YOU IN
17 DEFAULT AND THE DIRECTOR MAY DEEM THE ALLEGATIONS IN THE NOTICE AS
18 TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS APPROPRIATE
INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A CIVIL PENALTY AND
19 ORDERING RESTITUTION TO ANY INJURED PERSON.

20 **PERSONS WITH DISABILITIES**

21 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
22 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
23 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS
SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE
ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE

1 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

2 The allegations supporting this Notice of Hearing are as follows:

3 1. Sarah Christine Neiswonger ("Respondent") is, and was at all material times
4 licensed as a resident life producer, Arizona license number 897641 which expires August 31,
5 2011.

6 2. Respondent's mailing, business and residence addresses of record with the
7 Department are: c/o Primerica, 222 W. Southern Ave. Tempe, Arizona 85282 (business and
8 mailing); 125 E. Guadalupe, Apt. 222, Gilbert, Arizona 85234 (residence).

9 3. On or about August 1, 2007, the Department issued to Respondent an insurance
10 license as a resident life producer, Arizona license number 897641.

11 4. On November 19, 2007, the Department notified Respondent by mail at her
12 business/mailling address of record that her fingerprint card had been processed and returned
13 by the Federal Bureau of Investigation ("FBI") as illegible. The Department requested a
14 replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement
15 Form" on or before December 20, 2007.

16 5. To date, Respondent has not submitted a full set of fingerprints to the
17 Department.

18 VIOLATIONS

19 8. Respondent's conduct as described above constitutes the violation of the
20 requirement that an applicant submit a full set of fingerprints to the Department within the
21 meaning of A.R.S. § 20-285(F)(2).

22 9. Respondent's conduct as described above constitutes providing incomplete
23 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

10 10. Respondent's conduct as described above constitutes the violation of any
11 provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of
12 A.R.S. §20-295(A)(2).

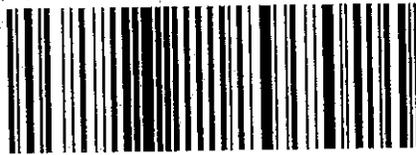
13 11. Grounds exist for the Director to suspend, revoke, or refuse to renew
14 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
15 A.R.S. §§20-295(A) and (F).

1 Mary Butterfield, Assistant Director
Catherine M. O'Neil, Consumer Legal Affairs Officer
2 Steven Fromholtz, Licensing Supervisor
Department of Insurance
3 2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

4 Michael Wales
5 Administrative Law Judge
Office of Administrative Hearings
6 1400 West Washington, Suite 101
Phoenix, Arizona 885007

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8 Curvey Walters Burton

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13 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE
CERTIFIED MAIL™



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