

FEB 10 2010

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:)
)
SIGALA, SHELDON FERMIN,)
(Arizona License # 53072))
(National Producer # 2857484))
)
)
Respondent.)

No. 10A-026-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Sheldon Fermin Sigala** violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Sheldon Fermin Sigala ("Sigala" or "Respondent") is, and was at all material times, licensed by the Department as an Arizona resident accident/health, life, property and casualty producer, Arizona license number 53072, which expires on October 31, 2010.

2. Sigala's address of record with the Department is: 5035 N. 42nd Ave., Phoenix, Arizona 85019 (business, mailing and residence).

3. On October 10, 2008, the Superior Court of Arizona, Maricopa County, entered a Suspension of Sentence – Probation Granted in State of Arizona v. Sheldon Fermin Sigala, Case Number CR2008-006748-001 DT, convicting Sigala of one count of Fraudulent Schemes and Artifacts, a class 2 felony. The Court placed Sigala on probation for 7 years and also ordered restitution to American Family Insurance Company in the amount of \$27,649.78.

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4. Sigala did not report the criminal conviction to the Department within 30 days.

CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.

2. Respondent's conduct, as alleged above, constitutes failure to report any criminal prosecution of the producer taken in any jurisdiction to the director within thirty days after the initial pretrial hearing date, within the meaning of A.R.S. § 20-301(B).

3. Respondent's conduct, as alleged above, constitutes a violation of Title 20, within the meaning of A.R.S. § 20-295(A)(2).

4. Respondent's conduct, as alleged above, constitutes having been convicted of a felony, within the meaning of A.R.S. § 20-295(A)(6).

5. Respondent's conduct, as alleged above, constitutes having been found to have committed any insurance unfair trade practice or fraud, within the meaning of A.R.S. § 20-295(A)(7).

6. Grounds exist for the Director to suspend, revoke or refuse to renew Respondent's insurance producer's license, pursuant to A.R.S. § 20-295(A).

ORDER

IT IS HEREBY ORDERED THAT

1. The Director revokes Respondent's Arizona resident insurance producer's license, # 53072, immediately.

DATED AND EFFECTIVE this 9 day of February, 2010.

for Christina Urias *Deputy Director*
CHRISTINA URIAS, Director
Arizona Department of Insurance

1 **CONSENT TO ORDER**

2 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
3 and Order.

4 2. Respondent admits to the jurisdiction of the Director of Insurance, State of
5 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the
6 foregoing Conclusions of Law and Order.

7 3. Respondent is aware of his right to notice and a hearing at which he may be
8 represented by counsel, present evidence and examine witnesses. Respondent
9 irrevocably waives his right to such notice and hearing and to any court appeals relating to
10 this Consent Order.

11 4. Respondent states that no promise of any kind or nature whatsoever, except
12 as expressly contained in this Consent Order, was made to him to induce him to enter into
13 this Consent Order and that he has entered into this Consent Order voluntarily.

14 5. Respondent acknowledges that the acceptance of this Consent Order by the
15 Director is solely to settle this matter against him and does not preclude any other agency,
16 officer, or subdivision of this state including the Department from instituting civil or criminal
17 proceedings as may be appropriate now or in the future not related to this matter.

18 6. Respondent acknowledges that this Consent Order is an administrative action
19 that the Department will report to the National Association of Insurance Commissioners
20 (NAIC). Respondent further acknowledges that he must report this administrative action to
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any and all states in which he holds an insurance license and must disclose this administrative action on any license application.

2/2/10
Date

Sheldon Sigala
Sheldon Fermin Sigala, Arizona License # 53072
National. Prod. # 2857484

COPY of the foregoing mailed this 10th day of Feb., 2010 to:

Mary Kosinski, Executive Assistant for Regulatory Affairs
Mary Butterfield, Assistant Director
Catherine M. O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Licensing Director
Chuck Gregory, Investigations
Arizona Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

Sheldon Fermin Sigala
5035 N. 42nd Ave.
Phoenix, Arizona 85019
Respondent

Curvey Burton
Curvey Walters Burton