STATE OF ARIZONA
FILED
OCT 14 2010
DEPT OF INSURANCE
BY

**STATE OF ARIZONA**

**DEPARTMENT OF INSURANCE**

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| In the Matter of:<br><br>**MAYNARD, ROBERT EMMETT,**<br>**(Arizona License Number 908027)**<br>**(National Producer Number 14261707)**<br><br>Respondent. | **No. 10A-139 - INS**<br><br>**CONSENT ORDER** |

The State of Arizona Department of Insurance ("Department") has received evidence that **Robert Emmett Maynard** ("Respondent") 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. Robert Emmett Maynard ("Maynard" or "Respondent") is, and was at all times material, a licensed Arizona resident life, accident, and health insurance producer, license number 908027, which expires on January 31, 2011.

2. Respondent is, and was at all times material, employed by Shoreline Financial Services, LLC, ("Shoreline") (Arizona non-resident license number 961010).

3. On or about September 19, 2010, Shoreline advertised its services in the Arizona Republic newspaper.

4. On September 23, 2010, a complainant filed a complaint with the Department stating that he had called Shoreline's Glendale, Arizona office and spoke with Respondent. Respondent presented the client with an option to purchase an annuity with the Greek

Catholic Union of the U.S.A. ("GCU") and advised the client that the GCU is protected by the Arizona Guaranty Fund up to $250,000.00 and is insured by an insurance company called the "Legal Reserve" which takes over the assets and liabilities of a defunct insurance company until it can find a buyer to take over the company.

5. The Arizona Guaranty Fund only covers up to $100,000.00.

6. GCU is a fraternal benefit society and is not covered by the Arizona Guaranty Fund.

7. Legal Reserve is not an insurance company authorized by the Department.

## CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.

2. Respondent's conduct, as described above, constitutes using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere within the meaning of A.R.S.§20-295(A)(8).

3. Respondent's conduct, as described above, constitutes making any misleading statement or representation or any misrepresentation as to the legal reserve system upon which any life insurer operates, within the meaning of A.R.S. § 20-443(A)(3).

4. Respondent's conduct, as described above, constitutes making any statement referring to the coverage or any of the provisions of Title 20, Chapter 3, articles 6 or 7 (administrative of insolvency) in connection with the sale or attempted sale of any policy of insurance, within the meaning of A.R.S.§20-443(A)(6).

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

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

7. Grounds exist for the Director to order Respondent to cease and desist its violation and impose a civil penalty pursuant to A.R.S. § 20-456(A) and (B).

## ORDER

IT IS THEREFORE ORDERED:

1. Respondent shall immediately cease and desist from making any misleading statement or representation or any misrepresentation as to the legal reserve system upon which any life insurer operates, within the meaning of A.R.S. § 20-443(A)(3).

2. Respondent shall immediately cease and desist from making any statement referring to the coverage or any of the provisions of Title 20, Chapter 3, articles 6 or 7 (administrative of insolvency) in connection with the sale or attempted sale of any policy of insurance

3. Respondent shall immediately pay a civil penalty of $1,000.00 for deposit into the State General Fund.

DATED AND EFFECTIVE THIS 12th day of October, 2010.

CHRISTINA URIAS
Director of Insurance

## CONSENT TO ORDER

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

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

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

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

5. Respondent acknowledges that the acceptance of this Consent Order by the Director settles this matter against him but does not preclude any other agency, officer, or subdivision of this state, including the Department, from instituting civil or criminal proceedings as may be appropriate.

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

10/2/10
Date

Robert Emmett Maynard
Robert Emmett Maynard, License No. 908027

COPY of the foregoing mailed/delivered
this 14th day of October, 2010, to:

Robert Emmett Maynard
11446 N. Crestview Drive
Fountain Hills, AZ 85268
Respondent

Mary Kosinski, Executive Assistant for Regulatory Affairs
Catherine M. O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Licensing Supervisor
Arnold Sniegowski, Investigator
Arizona Department of Insurance
2910 North 44th Street, Suite 210
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