

JUN 12 2012

DEPT OF INSURANCE
BY MS

State of Arizona

DEPARTMENT OF INSURANCE

In the Matter of:

MICHAEL HAYES FISCHER,
(Arizona License Number 1019396)
(National producer Number 16649619)

Respondent.

No. 12A-060-INS

CONSENT ORDER

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

FINDINGS OF FACT

1. Michael Hayes Fischer ("Fischer" or "Respondent") is licensed with the Department as a resident property and casualty producer, Arizona license number 1019396 which expires on December 31, 2015. Fischer first became licensed as an Arizona resident producer on May 17, 2012.

2. Respondent's address of record is c/o NCP Enterprises, LLC, 16636 N. 61st Pl., Scottsdale, Arizona 85298 (business, mailing and residence).

3. On or about May 11, 2012, Respondent or someone acting on Respondent's behalf completed a Certificate of Liability Insurance for policy number CAI0049453 with

1 Scottsdale Insurance Company naming S&T Transportation as the insured. The Certificate of
2 Liability included the Respondent's signature.

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5 **CONCLUSIONS OF LAW**

6 1. The Director has jurisdiction over this matter.

7 2. Respondent's conduct, as described above, constitutes sell, soliciting or
8 negotiating insurance in this state for any class or classes of insurance without being licensed
9 in violation of A.R.S. § 20-282.

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

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

15 **ORDER**

16 IT IS HEREBY ORDERED THAT:

17 1. Respondent shall immediately pay a civil penalty of \$250.00 for deposit into the
18 State General Fund.

19 DATED AND EFFECTIVE this 19th day of June, 2012.

20 
21 _____
22 CHRISTINA URIAS
23 Director of Insurance

CONSENT TO ORDER

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

3 ...

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

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

11 4. Respondent states that no promise of any kind or nature whatsoever, except as
12 expressly contained in this Consent Order, was made to him to induce him to enter into this
13 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 including the Department, officer, or subdivision of this state or this agency from instituting civil
17 or criminal proceedings as may be appropriate now or in the future.

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
21 any and all states in which he holds an insurance license and must disclose this administrative
22 action on any license application.
23

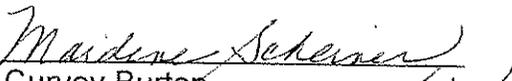
1 6/15/2012
Date


Michael Hayes Fischer, Arizona License # 1019396

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4 COPIES of the foregoing mailed/delivered
this 20th day of June, 2012, to:

5
6 Michael Hayes Fischer
16636 N. 61st St.
7 Scottsdale, AZ 85254
Respondent

8
9 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
10 Mary Butterfield, Assistant Director
Catherine M. O'Neil, Consumer Legal Affairs Officer
11 Steven Fromholtz, Licensing Director
Charles Gregory, Investigations Supervisor
12 Randy Markham, Investigator
Department of Insurance
2910 North 44th Street, Suite 210
13 Phoenix, Arizona 85018

14 
15 Curvey Burton *for*