

1 presence is authorized. *Id.* Respondent is not exempt from the requirement under A.R.S §
2 41-1080(B).

3 4. On or about February 1, 2011, Respondent submitted a renewal application to
4 the Department. He also submitted the required L-152 form for the license eligibility
5 requirement under A.R.S § 41-1080(A) and checked the box indicating that he was providing a
6 United States passport. Respondent did not present a United States passport and instead
7 provided a Mexican passport.

8 CONCLUSIONS OF LAW

9 1. The Director has jurisdiction over this matter.

10 2. Respondent's conduct as described above constitutes obtaining or attempting to
11 obtain a license through misrepresentation or fraud within the meaning of A.R.S. § 20-
12 295(A)(3).

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

16 ORDER

17 IT IS HEREBY ORDERED THAT:

18 Respondents' license is revoked effective immediately upon entry of this Order.

19 DATED AND EFFECTIVE this 28th day of January 2013.

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21 

22 GERMAINE L. MARKS
23 Director 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 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.

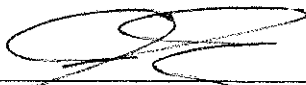
7 3. Respondent is aware of his right to notice and a hearing at which he may be
8 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
9 waives his right to such notice and hearing and to any court appeals relating to this Consent
10 Order.

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 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.

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 (NAIC)
20 and that he may have to report this administrative action on any future licensing applications
21 either to the Department or other states' Departments of Insurance.

22 01/24/13
23 Date



Juan C. Espinoza, License No. 888469

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COPIES of the foregoing mailed/delivered
this 28th day of January, 2013, to:

Juan C. Espinoza
1001 N. 43rd Ave. #88
Phoenix, AZ 85019
Respondent

Mary Kosinski, Executive Assistant for Regulatory Affairs
Mary Butterfield, Assistant Director, Consumer Affairs Division
Catherine M. O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Licensing Supervisor
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