

MAR 18 2014

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY CR

In the Matter of:

STERN, ERIC THOMAS
(Arizona License Number 138328)
(National Producer Number 7410329)

No. 14A-037-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Eric Thomas Stern** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). 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. Eric Thomas Stern ("Respondent") is, and was at all material times licensed as a resident life and variable life/variable annuities insurance producer, Arizona license number 138328, which expired on January 31, 2014 (Respondent submitted a timely renewal on January 21, 2014).

2. Respondent's mailing, business and residence addresses of record with the Department are: 3410 N. 43rd Place, Phoenix, Arizona 85018 (business, mailing and residence).

3. On or about January 21, 2014, Respondent submitted an Insurance License Renewal Application to the Department ("Renewal Application"). Part II, Question A of the Renewal Application asks: Have you had any professional, vocational, business license or certification refused, denied, suspended, revoked or restricted, **OR** a fine/assessment/forfeiture, consent order, administrative action etc. imposed by any public authority that has not been previously disclosed in a written format by you to this agency? Respondent answered "Yes" to Part II, Question A and signed the Renewal Application.

1 **Financial Industry Regulation Authority (FINRA) Matter No. 20100225599**

2 4. On or about June 7, 2012, Respondent entered a Letter of Acceptance, Waiver
3 and Consent in FINRA Matter No. 20100225599 ("FINRA Consent"). The FINRA Consent
4 imposed "... an 18-month suspension from association with any FINRA member in any
5 capacity ..."

5 5. Respondent failed to report the FINRA Consent within thirty (30) days.

6 **CONCLUSIONS OF LAW**

7 1. The Director has jurisdiction over this matter.

8 2. Respondent's conduct, as described above, constitutes failure to report, within
9 thirty days after the final disposition of a matter, any administrative action taken against the
10 producer in another jurisdiction or by another government agency in this State, within the
11 meaning of A.R.S. § 20-301(A).

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

13 4. Respondent's conduct, as described above, constitutes having an insurance
14 producer license, or its equivalent, denied, suspended or revoked in any state, province,
15 district or territory, within the meaning of A.R.S. § 20-295(A)(9).

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

17 6. Grounds exist for the Director to, in addition to or instead of any suspension,
18 revocation or refusal to renew, impose a civil penalty of not more than two hundred fifty dollars
19 (\$250.00) for each unintentional failure or violation, up to an aggregate civil penalty of two
20 thousand five hundred dollars (\$2,500.00) or impose a civil penalty of not more than two
21 thousand five hundred dollars (\$2,500.00) for each intentional failure or violation, up to an
22 aggregate civil penalty of fifteen thousand dollars (\$15,000.00), pursuant to A.R.S. § 20-
23 295(F).

22 ...

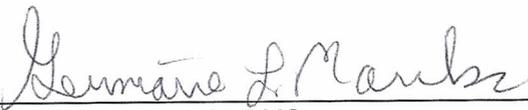
23 ...

1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 1. Respondent shall immediately pay a civil penalty of two hundred fifty dollars
4 (\$250.00) for deposit into the State General Fund.

5 DATED AND EFFECTIVE this 17th day of March, 2014.

6 
7 GERMAINE L. MARKS
8 Director of Insurance

9 **CONSENT TO ORDER**

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

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

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

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

22 5. Respondent acknowledges that the acceptance of this Consent Order by the
23 Director is solely to settle this matter against him and does not preclude any other agency,

1 officer, or subdivision of this state including the Department from instituting civil or criminal
2 proceedings as may be appropriate now or in the future not related to this matter.

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

8 3/11/14

9 Date

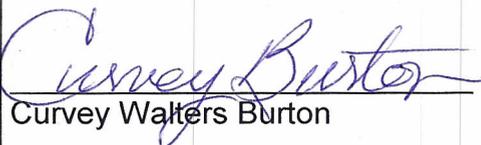


Eric Thomas Stern, Arizona License # 138328

10
11 COPIES of the foregoing mailed/delivered
this 18th day of March, 2014, to:

12 Eric Thomas Stern
13 3410 N. 43rd Place
14 Phoenix, Arizona 85018
Respondent

15 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs
16 Darren Ellingson, Deputy Director
17 Catherine M. O'Neil, Consumer Legal Affairs Officer
18 Steven Fromholtz, Licensing Supervisor
Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

19 
20 Curvey Walters Burton