

MAR 29 2016

DEPT OF INSURANCE
BY ML

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

CONNER, JOHN
(Arizona License #1105518)
(National Producer Number 17527436)

Respondent.

File No. 15A-184-INS
**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

(Assigned to ALJ Suzanne Marwil)

On February 8, 2016, the Arizona Department of Insurance ("Department") issued a Notice of Hearing and Complaint ("Notice") in the above-captioned matter, a copy of which is attached as Exhibit A and incorporated by reference. The Notice was served upon the address of record for Respondent. Proof of service is attached hereto as Exhibit B. As of this date, Respondent has failed to file an Answer. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

CONCLUSIONS OF LAW

1. Respondent's conduct constitutes providing incorrect, misleading, incomplete or materially untrue information in the license application, within the meaning of A.R.S. § 20-295(A)(1).

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

...

1 COPY of the foregoing sent same date via electronic mail to:

2 Liane Kido, Assistant Attorney General
3 Liane.Kido@azag.gov and Teresa.Carranza@azag.gov
4 Attorney for the Arizona Department of Real Estate

5 *Maidene Scheiner*
6 4951141

7 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
8 OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.
9 **CERTIFIED MAIL**



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STATE OF ARIZONA
FILED

FEB 8 2016

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY MS

In the Matter of:

CONNER, JOHN
(Arizona License Number 1105518)
(National Producer Number 17527436)

Respondent.

No. 15A-184-INS

NOTICE OF HEARING and COMPLAINT

(ALJ Suzanne Marwil)

PLEASE TAKE NOTICE that the above-captioned matter will be heard before the Director of Insurance of the State of Arizona (the "Director") or the Director's duly designated representative on April 7, 2016 at 1:00 p.m., at the Office of Administrative Hearings, **1400 West Washington, Suite 101, Phoenix, Arizona 85007¹**.

If you wish to continue this hearing to another date, you must file a motion in writing with the Office of Administrative Hearings not less than 15 days before the scheduled hearing date. Please send it to the attention of the Administrative Law Judge ("ALJ") and include the docket number listed above. You must also mail or hand-deliver a copy of any motion to continue to the Department of Insurance on the same date you file it with the Office of Administrative Hearings.

You are not required to have an attorney represent you. However, if you are represented, your attorney must be licensed to practice law in the State of Arizona. An insurance company may be represented by a corporate officer. A.R.S. § 20-161(B).

You are entitled to be present during the giving of all evidence and you will have a

¹ As authorized under Arizona Revised Statutes ("A.R.S.") §§ 20-161 through and including 20-165 and Title 41, Chapter 6, Article 10 (A.R.S. § 41-1092 *et seq.*).



1 reasonable opportunity to inspect all documentary evidence, examine witnesses, present
2 evidence that supports your case and to request that the ALJ issue subpoenas to compel the
3 attendance of witnesses and production of evidence. A.R.S. § 20-164(B).

4 A clear and accurate record of the proceedings will be made either by a court reporter
5 or by electronic means. A.R.S. § 41-1092.07(E). If you want a copy of an electronic
6 recording, you must contact the Office of Administrative Hearings at (602) 542-9826. If the
7 hearing was transcribed by a court reporter and you want a copy of the transcript, you must
8 pay the cost of the transcript to the court reporter or other transcriber.

9 Questions concerning issues raised in this Notice of Hearing should be directed to
10 Assistant Attorney General Liane Kido, telephone number (602) 542-8011, 1275 West
11 Washington Street, Phoenix, Arizona 85007-2926, Liane.Kido@azag.gov.

12 NOTICE OF APPLICABLE RULES

13 On January 23, 1992, we adopted the rules of practice and procedure applicable in
14 contested cases before the Director of Insurance. The hearing will be conducted pursuant to
15 these rules. A.A.C. R20-6-101 through R20-6-115.

16 YOU MUST FILE A WRITTEN RESPONSE (ANSWER) TO THE ALLEGATIONS IN
17 THIS NOTICE WITH US WITHIN 20 DAYS AFTER WE ISSUE THIS NOTICE. A.A.C.
18 R20-6-106. YOUR RESPONSE SHOULD STATE YOUR POSITION OR DEFENSE AND
19 SHOULD SPECIFICALLY ADMIT OR DENY EACH ASSERTION IN THE NOTICE. IF YOU
20 DO NOT SPECIFICALLY DENY AN ASSERTION, WE WILL CONSIDER IT ADMITTED. ANY
21 DEFENSE YOU DO NOT RAISE WILL BE CONSIDERED WAIVED.

22 IF YOU DO NOT FILE YOUR RESPONSE ON TIME, WE WILL CONSIDER YOU IN
23 DEFAULT AND THE DIRECTOR MAY DEEM THE ALLEGATIONS IN THE NOTICE AS
24 TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS APPROPRIATE

1 INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A CIVIL PENALTY AND
2 ORDERING RESTITUTION TO ANY INJURED PERSON.

3 PERSONS WITH DISABILITIES

4 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE
5 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR
6 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS
7 SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE
8 ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE
9 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

10 The allegations supporting this Notice of Hearing are as follows:

11 **FINDINGS OF FACT**

12 1. John Conner ("Conner" or "Respondent") is, and was at all material times, licensed
13 as an Arizona resident accident/health and life insurance producer, Arizona license number
14 1105518, which expires July 31, 2018. Conner first became licensed with the Department on
15 March 9, 2015.

16 2. Conner's addresses of record are: 5483 W. Carriage Dr., Oro Valley, Arizona 85742
17 (business and mailing).

18 3. On or about March 9, 2015, Respondent submitted a Resident License Application
19 to the Department ("Application"). Background Question 1.B of the Application asks "Have
20 you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently
21 charged with committing a felony? You may exclude juvenile adjudications (offenses where
22 you were adjudicated delinquent in a juvenile court)". Respondent answered "No" to Question

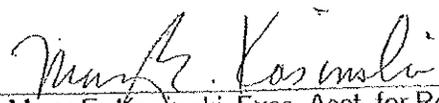
23 1.B.

24 ...

1 The Director delegates the authority vested in the Director to the Director of the Office
2 of Administrative Hearings or his designee to preside over the hearing of this matter as the
3 Administrative Law Judge, to make written recommendations to the Director consisting of
4 proposed findings of fact, proposed conclusions of law, and a proposed order. This delegation
5 does not include delegation of the authority of the Director to make an order on the hearing or
6 any other final decision in this matter. A.R.S. § 20-150.

7 Pursuant to A.R.S. § 41-1092.01, your hearing will be conducted through the Office of
8 Administrative Hearings, an independent agency. Further hearing information may be found
9 at the Office of Administrative Hearings website: www.azoah.com.

10 DATED this 8th day of February, 2016.

11 
12 Mary E. Kosinski, Exec. Asst. for Regulatory Affairs
13 Arizona Department of Insurance

14 E-FILE of the foregoing delivered electronically
15 this 8th day of February, 2016, to:

16 ALJ Suzanne Marwil
17 Office of Administrative Hearings

18 COPY of the foregoing delivered same date to:
19 Mary Kosinski, Executive Assistant for Regulatory Affairs
20 Steven Fromholtz, Licensing Administrator
21 Arizona Department of Insurance
22 2910 North 44th Street, Suite 210
23 Phoenix, Arizona 85018

24 COPY mailed same date by Regular Mail
and Certified Mail, Return Receipt Requested, to:

John Conner
5483 W. Carriage Dr.
Oro Valley, Arizona 85742
Respondent

1 COPY sent same date via electronic mail to:

2 Liane Kido
Assistant Attorney General
3 Consumer@azag.gov
Attorney for the Department of Insurance
4

5 *Maidene Scheiner*
6 Maidene Scheiner

7 4887224



7009 2250 0004 3887 6621

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
1. Article Addressed to:	B. Received by (Printed Name) <input type="checkbox"/> Addressee C. Date of Delivery
John Corner 5483 W. Carriage Dr. Oro Valley, AZ 85742	D. Is a delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number <i>(Transfer from service label)</i>	3. Service Type: <input type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
PS Form 3811, July 2013	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
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Domestic Return Receipt	

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• Sender: Please print your name, address, and ZIP+4® in this box •

Arizona Dept. of Insurance
 2910 N. 44th St., Suite 210
 Phoenix, AZ 85018

M. ROSINSKI
 DOCKET #ISA-184

RECEIVED
 FEB 22 2015
 ALTERNATIVE SERVICE CENTER

