

FEB 04 2020

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY AG 02/04/2020

In the Matter of:

DIAMOND, MARK STEPHEN
(National Producer No. 996343)

No. 20A-009-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Mark Stephen Diamond ("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 Finding of Facts are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent is, and was at all material times, licensed as an Arizona resident insurance producer with lines of authority in life and accident and health or sickness insurance, National Producer Number 996343. Respondent's license expires on October 31, 2020.

2. Respondent's addresses of record with the Department are: 8275 E. Wood Dr., Suite 100, Scottsdale, AZ 85260 (business and mailing) and MDIAMONDSEC@MAIL.COM (business e-mail).

Nebraska Department of Insurance Administrative Action

3. On or about February 23, 2017, the State of Nebraska Department of Insurance ("NDOI") filed Findings of Fact, Conclusions of Law, Recommended Order

and Order in State of Nebraska Department of Insurance vs. Mark Diamond; Cause No. A-2052 (“Nebraska Order”). The Nebraska Order stemmed from a civil action in Colorado where Respondent was a named defendant. The Nebraska Order required Respondent to pay an administrative fine of \$2,500.00 for violations of the Nebraska Insurance Code.

California Department of Insurance Administrative Action

4. On or about June 15, 2018, the California Department of Insurance filed an Order of Revocation of Unrestricted License and for Issuance of Restricted License In the Matter of the Licenses and Licensing Rights of Mark Stephen Diamond, File No. PLBS 11640-AP (“California Department of Insurance Order”).

Montana Commissioner of Securities and Insurance Administrative Action

5. On or about September 29, 2014, the Montana Commissioner of Securities and Insurance filed a Consent Agreement and Final Order in the Matter of Mark Diamond and Diamond and Associates Retirement Planning Services, Inc.¹, Case No. SEC-2012-139 (“Montana Commissioner’s Order”).

Wisconsin Office of Commissioner of Insurance Administrative Action

6. On or about November 26, 2018, the Office of Commissioner of Insurance, State of Wisconsin filed a Final Decision in the Matter of Mark S. Diamond, DHA Case No. OCI-18-0016/OCI Case No. 16-C41339 (“Wisconsin Commissioner’s Order”).

¹ Diamond & Associates Retirement Planning Services, Inc. (“Diamond & Associates”), held a license as a resident accident and health or sickness and life insurance producer with the Department from December 30, 2010 to December 31, 2018 when it expired. Diamond & Associates is registered as an active foreign corporation with the Arizona Corporation Commission with a domicile state of Colorado. Respondent is the sole officer and statutory agent for Diamond & Associates.

Iowa Insurance Division Administrative Action

7. On or about November, 2000, the Iowa Insurance Division entered into a settlement agreement with Respondent for selling insurance in that state without an insurance producer's license. Respondent agreed to pay a \$6,000 civil penalty and become licensed in Iowa.

8. On or about October 23, 2019, the Iowa Insurance Commissioner filed Findings of Fact, Conclusions of Law and Orders of Revocation, to Cease and Desist, and Other Relief In the Matter of Mark S. Diamond, Division Case No. 96975 ("Iowa Order").

CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.
2. Grounds exist for the Director to find that the Respondent's conduct, as described above, constitutes a violation of A.R.S. § 20-295(A).
3. Grounds exist for the Director to suspend for not more than twelve months or revoke Respondent's insurance producer license, pursuant to A.R.S. § 20-295(A).
4. On the written request of a person who is licensed, the Director may accept the voluntary surrender of the person's license. A person who surrenders a license shall not reapply for the same license for at least one year after the date of the surrender. A.R.S. § 20-289(F).

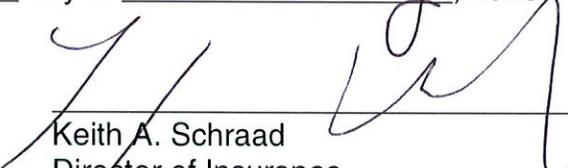
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ORDER

IT IS HEREBY ORDERED THAT:

1. The Director will accept the voluntary surrender of the Arizona resident insurance producer license of **Mark Stephen Diamond**, National Producer Number 996343.

Effective this 4th day of February, 2020.



Keith A. Schraad
Director of Insurance

CONSENT TO ORDER

1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
2. Respondent admits to 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 a hearing at which he may be represented by counsel, present evidence and examine witnesses.
4. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.
5. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
6. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and 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 now or in the future not related to this matter.

7. 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.

2.3.2020
Date



Mark Stephen Diamond, NRN 996343

COPY of the foregoing delivered by regular mail
this 5th day of February, 2020, to:

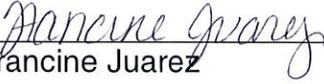
Gregory Y. Harris
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COPY delivered same date to:

Mary Kosinski, Regulatory Legal Affairs Officer
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Francine Juarez