

FEB 25 1994

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPARTMENT OF INSURANCE  
By                     

1	In the Matter of:	)	No. 8368
2		)	
3	PAPIN INSURANCE AGENCY	)	CONSENT ORDER
4		)	
5	Respondent	)	
6	_____	)	

7           The State of Arizona, Department of Insurance has  
8 conducted an investigation into the activities of Papin  
9 Insurance Agency. The investigation was with respect to  
10 advertising materials distributed by Papin Insurance Agency on  
11 or about September 20, 1992. In order to resolve the complaint  
12 pending before the Arizona Department of Insurance  
13 ("Department"), Respondent admits the Findings of Fact set forth  
14 herein as true and consents to entry of the following  
15 Conclusions of Law and Order.

FINDINGS OF FACT

17           1. Respondent is licensed by the Arizona Department  
18 of Insurance as a Property and Casualty Insurance Agency,  
19 license number 611461.

20           2. On or about September 20, 1992, Respondent  
21 distributed advertising material which advertised Papin  
22 Insurance Agency as being a member of the Arizona Guaranty Fund.

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CONCLUSIONS OF LAW

1. The Department of Insurance has jurisdiction over this matter.

2. The above referenced conduct by the Respondent constitutes the transaction of insurance within the meaning of A.R.S. §20-106.

3. The above referenced conduct by the Respondent constitutes a violation of A.R.S. §20-443.6.

4. A.R.S. §20-443(6) prohibits any person from using the existence of the Arizona Guaranty Fund in the sale or attempted sale of any policy of insurance.

5. Grounds exist for the Director to suspend, revoke or refuse to renew Respondent's insurance license, and impose a civil penalty upon Respondent pursuant to A.R.S. §20-316(C).

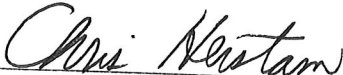
ORDER

IT IS HEREBY ORDERED THAT

1. Respondent shall cease and desist in the future from the advertisement of the existence of the Arizona Guaranty Fund in connection with the sale or attempted sale of any policy of insurance.

2. Respondent shall pay a civil penalty in the amount of \$250.00 to the Arizona Department of Insurance on or before thirty (30) days from the entry of this Order.

DATED this 25th day of February, 1994.

  
Chris Herstam, Director  
Department of Insurance

CONSENT TO ORDER

1  
2  
3           1. The undersigned hereby acknowledges he has read  
4 the foregoing Findings of Fact, Conclusions of Law and Order and  
5 is aware of his right to an administrative hearing in this  
6 matter and have waived same.

7           2. The undersigned hereby admits the jurisdiction of  
8 the Department of Insurance and admits the foregoing Findings of  
9 Fact and Conclusions of Law and Consent to the entry of the  
10 foregoing Order.

11           3. The undersigned hereby acknowledges that no  
12 promise was made to induce him to enter into this Consent Order  
13 and declares that he has entered into the Consent Order  
14 voluntarily.

15           4. Respondent acknowledges that acceptance of this  
16 Consent Order is for the purpose of settling this particular  
17 Department of Insurance litigation as against him and does not  
18 preclude the Department of Insurance, the Department of Law or  
19 any other agency or officer of this State, or subdivision  
20 thereof, from instituting other civil or criminal proceedings as  
21 may be appropriate now or in the future.

22           5. The undersigned hereby waives all rights to  
23 challenge the foregoing Findings of Fact, Conclusions of Law and  
24 Order, to appeal or otherwise, and agrees to be bound hereby.

25           6. The undersigned hereby swears he is empowered to  
26 act on behalf of the respondent in the acceptance of this  
27 Consent Order.

28           P-12-93

          Date



          for Papin Insurance Agency

1 Copies of the foregoing mailed  
2 this 25th day of  
3 February, 1994.

4  
5 Papin Insurance Agency  
6 Attn: Arthur Papin  
7 5219 N. 27 Avenue, Ste 9  
8 Phoenix, AZ 85017

9 Arizona Department of Insurance  
10 2910 North 44th Street, Ste 210  
11 Phoenix, AZ 85018  
12 Charles R. Cohen, Executive Assistant Director  
13 Jay Rubin, Assistant Director  
14 Deloris Williamson, Assistant Director  
15 Gary Torticill, Assistant Director  
16 Ron Ward, Investigator

17 Felecia Rottelini  
18 Office of the Attorney General  
19 1275 W. Washington  
20 Phoenix, AZ 85003

21 *Chris Crawford*