

OCT 21 2002

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT. OF INSURANCE
BY Kau

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4 In the Matter:) Docket No. 02A-102-INS
5 MARK ALAN BROWN)
6 Petitioner.) **ORDER DENYING MOTION**
7) **FOR REHEARING AND/OR**
8) **RECONSIDERATION**

9 IT IS ORDERED denying Petitioner's October 2, 2002 Motion for Rehearing and/or
10 Reconsideration.

11 Petitioner presents no evidence or arguments supporting his assertion of bias or prejudice
12 on the part of the undersigned in this matter. He simply objects to the decision denying his application.

13 Clearly, the Order in question is justified by the evidence and not contrary to law. The
14 Administrative Law Judge's Findings of Fact have been adopted in their entirety. Based on those
15 findings, legal grounds to deny the instant application plainly exist under A.R.S. § 20-295.

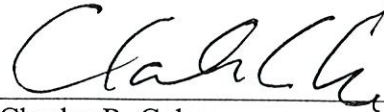
16 Whether to grant the license in spite of the legal grounds to deny it is a discretionary
17 matter for the undersigned. For the reasons expressed in the September 4, 2002 Order, I exercise my
18 discretion to uphold the denial. The record contains substantial evidence to support that decision, and
19 although it is understandable that Petitioner disagrees with the decision, in the opinion of the
20 undersigned he has not presented any evidence or arguments to justify changing it.

21 NOTIFICATION OF RIGHTS

22 The final decision of the Director may be appealed to the Superior Court of Maricopa
23 County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal must notify the Office
24

1 of Administrative Hearings of the appeal within ten days after filing the complaint commencing the
2 appeal, pursuant to A.R.S. § 12-904(B).

3 DATED this 21st of October, 2002

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7 Charles R. Cohen
8 Director of Insurance

9 A copy of the foregoing mailed
10 this 21st day of March, 2002

11 Sara M. Begley, Deputy Director
12 Gerrie L. Marks, Executive Assistant for Regulatory Affairs
13 Catherine O'Neil, Consumer Legal Affairs Officer
14 Rebecca Sanchez, Producer Licensing Administrator ✓
15 Del Wisecarver, Producer Licensing Supervisor
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