

FEB 3 2004

DEPT. OF INSURANCE
BY [Signature]

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

In the Matter of:)
) No. 03A-173-INS
4 **Rudi Max Kopec,**)
) **CONSENT ORDER**
5 Respondent.)
)
6 _____)

The State of Arizona Department of Insurance ("Department") has received evidence that Rudi Max Kopec ("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 Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- 1. On February 4, 1995, Respondent completed an annuity application for Cynthia F. Dorris who remitted \$2,500.00 in premium to Respondent.
- 2. On July 6, 1995, Respondent completed another annuity application for Cynthia F. Dorris who remitted an additional \$7,719.15 in premium to Respondent.
- 3. Respondent signed receipts stating that Dorris paid him a total of \$10,219.15.
- 4. Respondent represented to Dorris that her annuities would be placed with Great American Life Insurance Company.
- 5. Respondent failed to remit the premium and applications to Great American Life Insurance Company but converted the premium money for his own use due to personal financial problems.

1 6. Dorris made several attempts to get a refund from Respondent but it was only
2 after the Department intervened, that Respondent, over a course of two and a half months
3 from June 28, 2002 through September 12, 2002, refunded Ms. Dorris' premiums plus interest.
4

5 **CONCLUSIONS OF LAW**

6 1. The Director has jurisdiction over this matter.

7 2. Respondent's conduct as described above constitutes the use of fraudulent,
8 coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial
9 irresponsibility in the conduct of business in this state or elsewhere within the meaning of
10 A.R.S. §20-295(A)(8).

11 3. Respondent's conduct as described above constitutes having admitted or been
12 found to have committed any insurance unfair trade practice or fraud within the meaning of
13 A.R.S. §20-295(A)(7).

14 4. Respondent's conduct as described above constitutes the improper withholding,
15 misappropriation or conversion of any monies or properties received in the course of doing
16 insurance business within the meaning of A.R.S. §20-295(A)(4).

17 5. Respondent's conduct as described above constitutes the intentional
18 misrepresentation of the terms of an actual or proposed insurance contract or application for
19 insurance within the meaning of A.R.S. §20-295(A)(5).

20 6. Grounds exist for the Director to suspend, revoke, or refuse to renew
21 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
22 A.R.S. §§20-295(A)&(G).
23

1 **ORDER**

2 IT IS HEREBY ORDERED THAT Respondent's license is revoked effective
3 immediately upon entry of this Order.

4 DATED AND EFFECTIVE this 3rd day of February, 2004.

5 

6 _____
7 CHRISTINA URIAS
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 the jurisdiction of the Director of Insurance, State of Arizona,
13 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
23

1 5. Respondent acknowledges that the acceptance of this Consent Order by the
2 Director is solely to settle this matter against him and does not preclude any other agency,
3 officer, or subdivision of this state from instituting civil or criminal proceedings as may be
4 appropriate now or in the future.

5
6 1/21/04
Date

7 
Rudi Max Kopec
License Number 6976

8
9
10
11 COPIES of the foregoing mailed/delivered
12 this 3rd day of February, 2004, to:

13 Rudi Max Kopec
14 8720 E. Fairbrook
Mesa, AZ 85207

15 Catherine M. O'Neil, Consumer Legal Affairs Officer
16 Rebecca Sanchez, Licensing
17 Arnold Sniegowski, Investigations Supervisor
18 Marcia Croddy, Investigator
Department of Insurance
2910 North 44th Street, Suite 210
Phoenix, Arizona 85018

19 
20 Curvey Walters Burton