

APR 16 2003

DEPT. OF INSURANCE
BY

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of:)
)
VITO B. GRUPPUSO)
)
)
)
Respondent.)
_____)

Docket No. 03A-075 -INS
CONSENT ORDER

The State of Arizona, Department of Insurance (“Department”), has received evidence that Vito B. Gruppuso (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. Respondent is and was at all material times licensed to transact property and casualty insurance business as a non-resident producer, Arizona license number 33510, which license expires April 30, 2004. Respondent is the principal owner, shareholder and licensed officer of National Program Services, Inc. (NPS).
2. On or about May 30, 2002, Respondent was charged in the state of in New Jersey under Complaint No. W232514 with two criminal counts and under Complaint No. W282550 with one count of “Theft by Failure to Make Required Disposition of Property Received.” Respondent was charged with failing to remit in excess of \$75,000 in insurance premiums he collected to the Greater New York Mutual Insurance Company and in failing to remit in excess of \$75,000 in insurance premiums each that he collected from Garden Homes Inc., and Eliat Management Company.

1 4. On or about September 12, 2002, the New Jersey Banking and Insurance Department
2 filed a Consent Order In the Matter of Proceedings by the Commissioner of Banking and Insurance,
3 State of New Jersey, to fine, suspend, and/or revoke the insurance licenses of Vito B. Gruppuso,
4 Reference No. 8046158, and National Program Services, Inc., Reference No. 9719209, Case No. E02-
5 245 suspending Respondents' insurance licenses pending the outcome of the criminal charges filed
6 against him in Complaint Nos. W232514 and W282550.

7 **CONCLUSIONS OF LAW**

- 8 1. The Director has jurisdiction over this matter.
- 9 2. Respondent's conduct constitutes having an insurance producer license suspended in any
10 other state, within the meaning of A.R.S. §20-295(A)(9).
- 11 3. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's
12 insurance license pursuant to A.R.S. §§20-295(A).

13 **ORDER**

14 IT IS ORDERED THAT Respondent's insurance license is revoked effective immediately upon
15 entry of this Order.

16 DATED AND EFFECTIVE this 15th day of April, 2003.

17 
18 _____
19 CHARLES R. COHEN
20 Director of Insurance

21 **CONSENT TO ORDER**

- 22 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
23

1 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and
2 admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and
3 Order.

4 3. Respondent is aware of his right to notice and a hearing at which he may be represented
5 by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such
6 notice and hearing and to any court appeals relating to this Consent Order.

7 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly
8 contained in this Consent Order, was made to him to induce him to enter into this Consent Order and
9 that he has entered into this Consent Order voluntarily.

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

13
14 4-7-03

15 Date

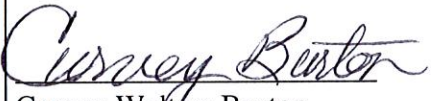

Vito B. Gruppuso,

16 COPIES of the foregoing mailed/delivered
17 this 16th day of April, 2003 to:

18 John T. Wolak
19 c/o Gibbons Del Deo
20 1 Riverfront Plaza
21 Newark, NJ 07102-5418
22 Attorney for Respondent

23 Sara M. Begley, Deputy Director
Gerrie L. Marks, Executive Assistant to the Director
Mary M. Butterfield, Assistant Director
Catherine M. O'Neil, Consumer Legal Affairs Officer
Rebecca Sanchez, Licensing Administrator
Carmen Haga, Investigator

1 Arizona Department of Insurance
2910 North 44th Street, Suite 210
2 Phoenix, AZ 85018

3 
4 Curvey Walters Burton

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23