

MAY 20 2005

DEPT OF INSURANCE  
BY 

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

In the Matter of:

ROBYN RENEE SETTER,  
Respondent.

)  
) No. 05A-059 -INS  
)  
) CONSENT ORDER  
)  
)  
)  
)

The State of Arizona Department of Insurance ("Department") has received evidence that Robyn Renee Setter ("Respondent") has 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 times material, licensed as a resident life insurance producer, Arizona license number 180070, which expires on July 31, 2006.
2. At all times material, Kohlhasse Insurance employed Respondent.
3. During the course of transacting insurance on behalf of Kohlhasse, between August 20, 2004 and December 6, 2004, Respondent received \$11,135.93 in cash premiums on behalf of 28 Arizona clients.
4. Respondent failed to remit \$11,135.93 of the premium to Kohlhasse or to apply the funds to the client's accounts but instead converted the premium money for her own use.
5. Kohlhasse maintained coverage for all of the affected clients and initiated collection of the outstanding funds from Respondent. Respondent has since made full restitution to Kohlhasse.

1 **CONCLUSIONS OF LAW**

2 1. The Director has jurisdiction over this matter.

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

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

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

13 **ORDER**

14 IT IS HEREBY ORDERED THAT:

15 1. Respondent's license is revoked effective immediately upon entry of this  
16 Order.

17 DATED AND EFFECTIVE this 20<sup>th</sup> day of May, 2005.

18   
19 \_\_\_\_\_  
20 CHISTINA URIAS  
21 Director Of Insurance

21 **CONSENT TO ORDER**

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

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

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

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

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

15  
16     5-16-05

Date



\_\_\_\_\_  
Robyn Renee Setter  
License Number 180070

17  
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19  
20 COPIES of the foregoing mailed/delivered  
21 this 20th day of May, 2005, to:

22 Robyn Renee Setter  
23 875 W. Pecos Road  
Chandler, AZ 85225

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Mary E. Kosinski, Executive Assistant for Regulatory Affairs  
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Curvey Waters Burton