

MAY 2 2006

DEPT OF INSURANCE
BY CL

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

No. 06A-047-INS

MARTIN L. SHUPLA,

CONSENT ORDER

Respondent.

On April 11, 2006, the State of Arizona, Department of Insurance (the "Department"), issued a Notice of Hearing in the matter of MARTIN L. SHUPLA ("Shupla"). Shupla wishes to waive his right to a hearing and resolve this matter. Shupla admits the following Findings of Fact are true and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Martin L. Shupla ("Shupla") was at all material times licensed as a non-resident accident/health, life and variable life/variable annuities producer, Arizona license number 182505, which license expires August 31, 2006.
2. Shupla's mailing address of record with the Department is: 14307 Shannon Ridge Road, Houston TX 77062 (business and residence).
3. On November 4, 2005, Shupla filed a Clearance Letter Request Form notifying the Department that he was relocating to Texas and requesting that his Arizona license be changed from resident to non-resident status.
4. On November 14, 2005, the Department issued a Clearance Letter canceling Shupla's resident license and issuing a notification that the licensee's ability to transact insurance as a non-resident is contingent upon the licensee submitting a certification of license status from the new home state within 30 days of becoming licensed in that state.
5. Shupla failed to provide a certification of licensure from the new resident state

1 within 30 days of becoming licensed in the home state.

2 **CONCLUSIONS OF LAW**

3 1. The Department has jurisdiction over this matter.

4 2. Shupla failed to provide a certification of licensure from the new resident state
5 within 30 days of becoming licensed in the home state.

6 3. Shupla's conduct as described above constitutes the violation of the
7 requirement that an applicant provide a certification of licensure from the new resident state
8 within 30 days of becoming licensed in the new home state, a violation of A.R.S. § 20-
9 287(B).

10 4. Shupla's conduct as described above constitutes the violation of any provision
11 of A.R.S. Title 20 within the meaning of A.R.S. § 20-295(A)(2).

12 5. Grounds exist for the Director to revoke Shupla's insurance license and/or
13 impose a civil penalty pursuant to A.R.S. §§ 20-295(A) and (F).

14 **ORDER**

15 **IT IS ORDERED:**

16 1. Shupla is assessed a civil penalty in the amount of \$ 100.00 due and payable
17 upon return of the Consent Order.

18 2. Shupla will surrender his non-resident insurance producer's license, Arizona
19 license number 182505, complete a Voluntary Surrender of Insurance License Form, and
20 return it with the Consent Order.

21 3. Shupla's failure to comply with the terms of this Consent Order will result in the

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1 revocation of his non-resident insurance producer's license, Arizona license number
2 182505.

3 DATED AND EFFECTIVE this 1st day of May, 2006.

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5 
6 CHRISTINA URIAS, Director
Arizona Department of Insurance

7 **CONSENT TO ORDER**

8 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
9 and Order.

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

13 3. Respondent is aware of his right to notice and a hearing at which it may be
14 represented by counsel, present evidence and cross-examine witnesses. Respondent
15 irrevocably waives his right to a hearing and to any court appeals relating to this Consent
16 Order.

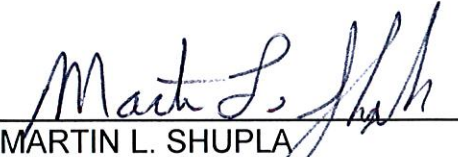
17 4. Respondent states that no promise of any kind or nature, except as expressly
18 contained in this Consent Order, was made to him to induce him to enter into this Consent
19 Order, and that he has entered into this Consent Order voluntarily.

20 5. Respondent acknowledges that the acceptance of this Consent Order by the
21 Director is solely to settle this matter against him and does not preclude any other agency,
22 officer or subdivision of this state from instituting civil or criminal proceedings as may be
23 appropriate now or in the future nor does it preclude the Department from instituting civil or
24 criminal proceedings as may be appropriate in the future.

25 6. Respondent agrees that if he fails to comply with the terms of this Consent
26 . . .

1 Order, his nonresident insurance producer's license, Arizona license number 182505, is
2 revoked.

3 Date: 4-25-06


MARTIN L. SHUPLA


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6 COPY of the foregoing mailed this
7 2nd of May, 2006, to:

8 Lewis Kowal, Administrative Law Judge
9 Office of Administrative Hearings
10 1400 W. Washington, Suite 101
11 Phoenix, Arizona 58007

12 Mary Kosinski, Executive Assistant for Regulatory Affairs
13 Steve Fromholtz, Licensing Supervisor
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22 Martin Shupla
23 14307 Shannon Ridge Road
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25 Respondent

26 
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