

JUL 26 2006

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY 

In the Matter of: )  
)  
ROBERT JUDSON BRANNON and )  
TREICHLER-BRANNON, INC. )  
)  
Respondents )  
\_\_\_\_\_ )

No. 06A- 152-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Robert Judson Brannon and Treichler-Brannon, Inc.** have violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent Robert Judson Brannon ("Brannon") is, and was at all material times licensed as a resident producer, Arizona license number 13893.
2. Respondent Treichler-Brannon, Inc. ("Treichler-Brannon") is, as was at all material times licensed as a business entity, Arizona license number 783109.
3. Brannon is the Secretary and Treasurer and Compliance Representative for Treichler-Brannon.
4. On December 22, 2003, the Arizona Corporation Commission issued an *Order to Cease and Desist, Order of Disgorgement, Order of Revocation, Order for Administrative Penalties and Consent to Same*, In the Matter of: Robert J. Brannon, Docket No. S-03487A-03-0000 ("ACC Order"). In the ACC Order, Brannon was required to cease and desist from

1 violating the Securities Act, disgorge all sales commissions and pay an administrative penalty.

2 Brannon signed the ACC Order on October 31, 2003.

3 5. On December 29, 2003, the NASD filed an *Order Accepting Offer of Settlement*,  
4 Department of Enforcement v. Robert J. Brannon, CRD No. 810610, Disciplinary Proceeding  
5 No. C3A030022 ("NASD Order"). In the NASD Order, Brannon was suspended from  
6 association with any member of NASD in any capacity and fined in the amount of \$5,000.00.

7 6. On January 25, 2005, Brannon filed an Insurance License Renewal Application  
8 with the Department. Part II, B asks: Have you had any professional, vocational, business  
9 license or certification refused, denied, suspended, revoked or restricted, or a fine imposed by  
10 any public authority that has not previously been disclosed by you to this agency in a license  
11 application? Brannon answered No to this question. Brannon signed the application on  
12 January 28, 2005.

13 7. On December 18, 2005, Brannon filed an Insurance License Renewal  
14 Application for a Business Entity on behalf of Treichler-Brannon. Part II, B asks: Has the  
15 applicant or any individual designated in the application as a principal or individual who is to  
16 exercise the powers conferred by the license had any professional license, vocational license,  
17 business license or certification refused, denied, suspended, revoked or restricted that has not  
18 previously disclosed any license application or accompanying statement? Brannon answered  
19 No to this question. Brannon signed the application on December 12, 2005.

### 20 CONCLUSIONS OF LAW

- 21 1. The Director has jurisdiction over this matter.
- 22 2. Respondents' conduct as described above constitutes providing incomplete  
23 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

1 3. Respondents' conduct as described above constitutes obtaining or attempted to  
2 obtain a license through misrepresentation within the meaning of A.R.S. §20-295(A)(3).

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

6 **ORDER**

7 IT IS HEREBY ORDERED THAT:

8 1. Respondents' shall immediately pay to the Department a civil penalty of  
9 \$250.00.

10  
11 DATED AND EFFECTIVE this 20<sup>th</sup> day of July, 2006.

12   
13 \_\_\_\_\_  
14 CHISTINA URIAS  
15 Director of Insurance

16 **CONSENT TO ORDER**

17 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of Law  
18 and Order.


19 2. Respondents admit to the jurisdiction of the Director of Insurance, State of  
20 Arizona, and admit the foregoing Findings of Fact and consent to the entry of the foregoing  
21 Conclusions of Law and Order.

22 3. Respondents are aware of their right to notice and a hearing at which they may  
23 be represented by counsel, present evidence and examine witnesses. Respondents

1 irrevocably waive their right to such notice and hearing and to any court appeals relating to this  
2 Consent Order.

3 4. Respondents state that no promise of any kind or nature whatsoever, except as  
4 expressly contained in this Consent Order, was made to them to induce them to enter into this  
5 Consent Order and that they have entered into this Consent Order voluntarily.

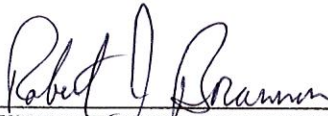
6 5. Respondents acknowledge that the acceptance of this Consent Order by the  
7 Director is solely to settle this matter against them and does not preclude any other agency,  
8 officer, or subdivision of this state including the Department from instituting civil or criminal  
9 proceedings as may be appropriate now or in the future not related to this matter.

10  ~~Dana Treichler Brannon is President~~ of Treichler-Brannon, Inc. and as such is  
11 Robert Judson Brannon is Secretary/Treasurer  
12 authorized to act on its behalf.

13 For Treichler-Brannon, Inc.  
14 License #783109

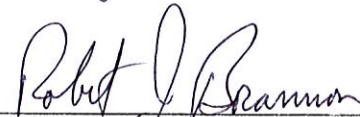
15 7/17/06

16 Date

17   
18 By: ~~Dana Treichler Brannon, President~~  
19 Robert Judson Brannon, Secretary/Treasurer

20 7/17/06

21 Date

22   
23 Robert Judson Brannon, License #13893

24 COPIES of the foregoing mailed/delivered  
25 this 26th day of July, 2006, to:

26 Robert Judson Brannon  
27 1270 E. Broadway Road, Suite 214-A  
28 Tempe, Arizona 85282-1534  
29 Respondent

1 Treichler-Brannon, Inc.  
1270 E. Broadway Road, Suite 214-A  
2 Tempe, Arizona 85282-1534  
Respondent

3  
4 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs  
Mary Butterfield, Assistant Director  
Catherine M. O'Neil, Consumer Legal Affairs Officer  
5 Steven Fromholtz, Licensing Supervisor  
Department of Insurance  
6 2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

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8   
9 Curvey Walters Burton

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