

STATE OF ARIZONA  
FILED

DEC 5 2006

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE  
DEPT OF INSURANCE  
BY PRO

In the Matter of:

No. 06A-198-INS

CORY MCKAY BRIAN,

Respondent.

FINDINGS OF FACT, CONCLUSIONS OF  
LAW AND ORDER

On October 31, 2006, the Arizona Department of Insurance ("Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached and incorporated by this reference. The Notice required Cory McKay Brian ("Brian") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Brian has failed to file an answer. On November 30, 2006, counsel for the Department filed a Request for Default and Proposed Findings of Fact, Conclusions of Law and Order. As of this date, Respondents have not responded to the Department's request. Pursuant to A.A.C.R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

**FINDINGS OF FACT**

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

**CONCLUSIONS OF LAW**

1. The conduct alleged in the Notice constitutes grounds for the Director to

1 suspend, revoke or refuse to renew Respondents' licenses to transact insurance in  
2 Arizona, pursuant to A.R.S. §20-295 (A) and (F).

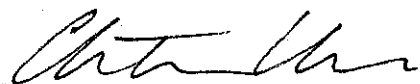
3 **ORDER**

4 IT IS ORDERED:

5 1. The insurance license held by Respondent is revoked effective upon the  
6 issuance of this Order.

7 2. The hearing set for December 14, 2006, at 9:30 a.m. shall be vacated.

8 DATED this 4<sup>th</sup> day of December, 2006.

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11 \_\_\_\_\_  
12 CHRISTINA URIAS, Director  
Arizona Department of Insurance

13 COPY of the foregoing mailed this  
14 5<sup>th</sup> day of December, 2006 to:

15 Lewis Kowal, Administrative Law Judge  
16 Office of Administrative Hearings  
1400 West Washington, Suite 101  
Phoenix, Arizona 85007

17 Mary Kosinski, Executive Assistant for Regulatory Affairs  
18 Steve Fromholtz, Licensing Supervisor  
19 Arizona Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018

20 Jennifer A. Boucek  
21 Assistant Attorney General  
1275 West Washington Street  
22 Phoenix, Arizona 85007-2926  
23 Attorney for the Arizona Department of Insurance

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1 Cory McKay Brian  
2 4037 E. Garnet Circle  
3 Mesa, AZ 85206  
Respondent

4 *Patricia A. Saenz*  
5 989381.CPA06-331

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**ATTACHMENT NOTICE OF HEARING -**

**REDACTED.** The document contains personal information that may be inappropriate for public disclosure, including names, addresses, contract numbers, amount requested by claimant, final determinations of claim amounts and calculated distribution amounts.