STATE OF ARIZONA FILED

# STATE OF ARIZONA

OCT 25 2006

| DEPARTMENT | OF INSURANCE |
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| DEP. | I/OF | >INS | URA | NC |
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| BY   |      |      |     |    |

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|---|----------------------|-------------------|----|
|   | In the Matter of:    | )                 |    |
| ١ |                      | ) No. 06A-205-INS | 3  |
|   | RONALD NEIL COOKLER  | j                 |    |
|   | TOWNED HELD GOOKLESK | ) CONSENT ORD     | FR |
|   |                      | OONOENTORD        |    |
|   |                      | (                 |    |
|   | Respondent           | )                 |    |
| ١ |                      | )                 |    |

The State of Arizona Department of Insurance ("Department") has received evidence that Ronald Neil Cookler has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). 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. Ronald Neil Cookler ("Cookler") was licensed as a non-resident life and variable life/variable annuities producer, Arizona license number 113073, until he surrendered that license to the Department on August 16, 2005 to resolve an administrative action against his license.
- 2. Cookler's mailing/residence address of record with the Department is: 22 Manor Drive, Morristown, New Jersey, 07960. Cooker's business address of record with the Department is: c/o J B Hanaver & Co, 4 Gatehall Dr., Parsippany, New Jersey 07054.
- 3. On or about February 11, 1982, Cookler executed a consent order, without admitting liability, with the Securities and Exchange Commission *In the Matter of J. B. Hanaver & Co., et al*, ¶ 83,099, Federal Securities Law Reports (1982). Cookler agreed to a forty-five day suspension commencing on March 1, 1982.

4. On August 25, 2006, Cookler submitted a Uniform Application for Individual Insurance Producer License ("application") to the Department. Part 39, Question 2 of the application asks: Have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license? "Involved" means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation or surrendering a license to resolve an administrative action. "Involved" also means being named as a party to an administrative or arbitration proceeding which is related to a professional or occupational license. "Involved" also means having a license application denied or the act of withdrawing an application to avoid a denial. You may EXCLUDE terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

Cookler answered "No" to this question on the application. Cookler signed the application on August 17, 2006.

### **CONCLUSIONS OF LAW**

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes providing incorrect, misleading, incomplete or materially untrue information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 3. Respondent's conduct as described above constitutes obtaining or attempting to obtain a license through misrepresentation or fraud within the meaning of A.R.S. § 20-295(A)(3).

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

#### **ORDER**

# IT IS HEREBY ORDERED THAT:

 Respondent shall immediately pay to the Department a civil penalty of \$500.00.

DATED AND EFFECTIVE this 24th day of October, 2006.

CHISTINA URIAS Director of Insurance

### CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits to the jurisdiction of the Director of Insurance, State of
   Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
   Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency, officer, or subdivision of this state from instituting civil or criminal proceedings as may be appropriate now or in the future.

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Ronald Neil Cookler

COPIES of the foregoing mailed/delivered this <u>25th</u> day of <u>October</u>, 2006, to:

Ronald Neil Cookler 22 Manor Drive Morristown, NJ 07960 Respondent

Ronald Neil Cookler
C/o J B Hanaver & Co.
4 Gatehall Dr.
Parsippany, New Jersey 07054
Respondent

Mary Butterfield, Assistant Director

Mary E. Kosinski, Executive Assistant for Regulatory Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor Department of Insurance 2910 North 44<sup>th</sup> Street, Suite 210

2910 North 44" Street, Suite 210 Phoenix, Arizona 85018

Curvey Walters Burton