STATE OF ARIZONA

APR 26 2007

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE BY_

In the Matter of:

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ERNEST DANIEL DUFOUR.

No. 07A- 083-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that Ernest Daniel Dufour ("Respondent" or "Dufour") 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. On January 25, 2007, Dufour applied for an Arizona non-resident producer license for the life and accident/health/sickness lines of authority. Dufour submitted his application through the National Insurance Producer Registry ("NIPR").
- 2. Dufour's addresses of record with the Department are: 889 W. 4100 S, Riverdale, Utah 84405 (residence); 3680 Pacific Ave., Ogden, Utah 84409-9212 (business and mailing).
- 3. In the "Background Questions" section of the application, Question 2 asks: Have you or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, ever been involved in an administrative proceeding regarding any professional or occupational license, or registration. Dufour responded "No" to the question.

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4. On January 10, 1994, the Utah Insurance Department filed a administrative action against Dufour for financial impairment and no certificate of authority. The Utah Insurance Department suspended Dufour's license and fined Dufour \$2,000.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondents' 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. 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) and (F).

ORDER

IT IS HEREBY ORDERED THAT

1. Dufour shall immediately pay a \$100 civil penalty to the Department.

DATED AND EFFECTIVE this 29th day of April, 2007.

CHISTINA URIAS
Director of Insurance

CONSENT TO ORDER

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

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- 2. Respondent admits 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 them 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, including the Department, officer, or subdivision of this state or this agency from instituting civil or criminal proceedings as may be appropriate now or in the future.

4.16.07 Date

Ernest Daniel Dufour

COPIES of the foregoing mailed/delivered this 26th day of ____April____, 2007, to:

889 W. 4100 S Riverdale, UT 84405 Respondent

Ernest Daniel Dufour

Ernest Daniel Dufour 3680 Pacific Ave. Ogden, UT 84409-9212 Respondent

Mary E. Kosinski, Exec. Assistant for Reg. Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer Steve Fromholtz, Licensing Supervisor
Department of Insurance
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