

OCT 22 2007

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY 

In the Matter of: )  
)  
KENNETH CHARLES HAPNER )  
(License number 58954) and )  
AMERICAN INSURANCE & INVESTMENTS, )  
LLC (License number 890645), )  
)  
Respondents. )

No. 07A-154-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Kenneth Charles Hapner and American Insurance & Investments, LLC** ("Respondents") 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. Kenneth Charles Hapner ("Hapner") is, and was at all material times, licensed as an Arizona resident property and casualty insurance producer, Arizona license number 58954, which license expires November 30, 2009.
2. Hapner's addresses of record with the Department are: c/o American Ins. & Investments, LLC, 8141 Florentine #A, Prescott, Arizona 86314 (business and mailing) and 567 King Way, Mohave Valley, Arizona 86440 (residence).
3. American Insurance & Investments, LLC ("American") is an Arizona Limited Liability Company incorporated on March 16, 2005 which is currently licensed as an Arizona resident property and casualty insurance producer, Arizona license number 890645, which expires May 31, 2011. Hapner is, and was at all material times, owner and operator of American. At all times material, American was not licensed as an insurance producer nor was it exempt from being licensed. American first became licensed on or about May 1, 2007.

1 4. American's address of record with the Department is: 8141 Florentine Rd., Suite  
2 A, Prescott Valley, Arizona 86314.

- 3 5. While unlicensed, American entered into the following contracts with insurers:  
4 a. On January 29, 2003, American contracted with AIG Specialty Auto Insurance  
5 Company ("AIG") to transact insurance on its behalf in Arizona. Hapner signed  
6 the contract as Owner/Agent.  
7 b. On March 18, 2004, American contracted with Phoenix Indemnity Insurance  
8 Company ("Phoenix Indemnity") to transact insurance on its behalf in Arizona.  
9 Hapner signed the contract as Owner/Broker.  
10 c. On March 22, 2005, American contracted with Dairyland Insurance Company  
11 ("Dairyland") to transact insurance on its behalf in Arizona. Hapner signed the  
12 contract as Owner/Broker.  
13 d. On May 17, 2006, American contracted with Bristol West Insurance Services  
14 of Nevada, Inc. (the general agent for Coast National Insurance Company)  
15 ("Bristol West") to transact insurance on its behalf in Arizona. Hapner signed the  
16 contract as Owner/Broker.

17 6. On January 12, 2005, Hapner contracted with Victoria Insurance Company  
18 ("Victoria") to transact insurance on its behalf in Arizona.

19 7. On March 7, 2006, Hapner contracted with AAA Members Insurance Company  
20 and AAA Fire & Casualty ("AAA") to transact insurance on their behalf in Arizona.

21 8. Between January 1, 2006 and June 30, 2007, as a general business practice,  
22 Respondents misrepresented insurance premium prices to their clients by charging fees that  
23 were not filed with or approved by the Department. Respondents quoted the fees as part of  
the premium and failed to disclose the fees to their clients as a separate charge. Between  
January 1, 2006 and November 15, 2006, Respondents charged 233 clients \$4,748.73 in  
unapproved fees.

9. Between January 1, 2006 and June 30, 2007, Respondents failed to remit or  
timely remit (72 hours) premium payments to insurers resulting in 64 policy cancellations.

1 During the same period, Respondents failed to remit a total of \$8,278.79 in premium payments  
2 to insurers.

3 10. During January 1, 2006 and June 30, 2007, the following insurers received NSF  
4 (Insufficient Funds) notices when they swept the American premium account:

- 5 a. Phoenix Indemnity - 19 NSF notices totaling \$19,539.63.
- 6 b. Victoria – 10 NSF notices totaling \$1,280.09.
- 7 c. Dairyland – 16 NSF notices totaling \$2,384.60.
- 8 d. AAA – 2 NSF notices totaling \$353.98
- 9 e. Bristol West – 3 NSF notices totaling \$159.20.
- 10 f. AIG – 12 NSF notices totaling \$1,977.84.

11 11. Between January 2006 and August 2006, seven policyholders paid Respondents  
12 their policy premium in full. Respondents failed to remit these premium payments in full but  
13 made monthly installments instead.

#### 14 **CONCLUSIONS OF LAW**

- 15 1. The Director has jurisdiction over this matter.
- 16 2. Respondents' conduct as described above constitutes improperly withholding,  
17 misappropriating or converting any monies received in the course of doing insurance business,  
18 within the meaning of A.R.S. § 20-295(A)(4).
- 19 4. Respondents' conduct as described above constitutes using fraudulent, coercive  
20 or dishonest practices, or demonstrating incompetence, untrustworthiness or financial  
21 irresponsibility in the conduct of business within the meaning of A.R.S. § 20-295(A)(8).
- 22 5. Respondents' conduct, as alleged above, constitutes charging or receiving a  
23

1 fee or service charge in addition to the premium charged for services customarily provided in  
2 the transaction of insurance without filing it with and receiving approval from the Department,  
3 within the meaning of A.R.S. §20-465.

4 6. American's conduct, as alleged above, constitutes violating the requirement that  
5 a person shall not sell, solicit or negotiate insurance in this state for any class or classes of  
6 insurance unless the person is licensed for that line of authority, within the meaning of A.R.S.  
7 § 20-282.

8 7. Respondents' conduct, as alleged above, constitutes violating any provision of  
9 Title 20, within the meaning of A.R.S. § 20-295(A)(2).

10 8. Grounds exist for the Director to suspend, revoke, or refuse to renew  
11 Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant to  
12 A.R.S. §§20-295(A), (B) and (F).

### 13 ORDER

#### 14 IT IS HEREBY ORDERED THAT

15 1. Respondent Hapner's Arizona resident property and casualty insurance producer  
16 license, Arizona license number 58954, is hereby immediately revoked.

17 2. The Director's Stay of Order Summarily Suspending the Insurance Producer  
18 License of American Insurance and Investments, LLC ("the Stay")<sup>Exhibit A</sup> will remain in force for 60  
19 days from the date of this order if Respondents provide evidence that:

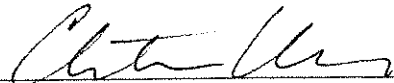
- 20 a. Hapner has been removed as an officer or member of American.
- 21 b. Hapner has been removed from all of American's bank accounts.
- 22 c. All producer agreements have been amended to reflect American's change  
23 in ownership.

1 d. American has designated a licensed producer approved by the Department  
2 who is responsible for the business entity's compliance with the insurance  
3 laws of this state within the meaning of A.R.S. § 20-285(D)(3).

4 3. Before the expiration of the Stay, the Department will advise the Director as to  
5 whether Respondents are in compliance with this <sup>Consent</sup> Order. At that time, if Respondents are in  
6 compliance with this <sup>Consent</sup> Order, the Director will withdraw the <sup>Order for</sup> Summary Suspension of American  
7 Insurance and Investments, LLC. If Respondents fail to comply with this <sup>Consent</sup> Order, American  
8 Insurance and Investments, LLC, Arizona license number 890645, is revoked at the expiration  
9 of the Stay.

10 4. This <sup>Consent</sup> Order shall become effective immediately and shall remain in full force and  
11 effect until otherwise stayed, modified, vacated or set aside.

12 DATED AND EFFECTIVE this 22<sup>nd</sup> day of October 2007.

13  
14   
15 CHISTINA URIAS  
16 Director of Insurance

17 **CONSENT TO ORDER**

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

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

23 3. Respondents are aware of their right to notice and a hearing at which they may  
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 including the Department, officer, or subdivision of this state or this agency from instituting civil  
9 or criminal proceedings as may be appropriate now or in the future.

10 6. Kenneth Hapner represents that he is Manager/Member of American Insurance  
11 Investments, LLC, and as such is authorized to enter this Consent Order on its behalf.

12 7. Respondents acknowledge that this Consent Order is an administrative action  
13 that the Department will report to the National Association of Insurance Commissioners  
14 (NAIC). Respondents further acknowledge that they must report this administrative action to  
15 any and all states in which they hold an insurance license and must disclose this  
16 administrative action on any license application.

American Insurance Investments, LLC.  
(Arizona License number 890645)

17  
18 10/22/07  
Date

Kenneth C. Hapner  
Kenneth Hapner, Manager/Member

19  
20 10/22/07  
Date

Kenneth C. Hapner  
Kenneth Hapner (Arizona License number 58954)

21  
22 COPIES of the foregoing mailed/delivered  
23 this 22nd day of October, 2007, to:

1 Christy C. Brown  
Low & Childers, P.C.  
2 2999 N. 44<sup>th</sup> Street, Suite 250  
Phoenix, AZ 85018  
3 Attorneys for Respondent

4 Mary E. Kosinski, Exec. Assistant for Reg. Affairs  
Catherine M. O'Neil, Consumer Legal Affairs Officer  
5 Steve Fromholtz, Licensing Supervisor  
Arnie Sniegowski, Investigations  
6 Department of Insurance  
2910 North 44<sup>th</sup> Street, Suite 210  
7 Phoenix, Arizona 85018

8 Alyse C. Meislik  
Assistant Attorney General  
9 1275 West Washington Street  
Phoenix, Arizona 85007-2926  
10 Attorney for the Arizona Dept. of Insurance

11   
12 Curvey Walters Burton

13 PHX-#78579

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18  
19  
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21  
22  
23

## Exhibit A



STATE OF ARIZONA

AUG 29 2007

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY 

In the Matter of:	)	No. 07A-154-INS
	)	
<b>KENNETH CHARLES HAPNER</b>	)	<b>ORDER SUMMARILY SUSPENDING</b>
<b>(License number 58954) and</b>	)	<b>INSURANCE PRODUCER LICENSES</b>
<b>AMERICAN INSURANCE &amp; INVESTMENTS,</b>	)	<b>AND NOTICE OF HEARING</b>
<b>LLC (License number 890645),</b>	)	
	)	<b>(Administrative Law Judge</b>
Respondents.	)	<b>Lewis D. Kowal)</b>
	)	

The State of Arizona Department of Insurance ("Department") has received evidence that **Kenneth Charles Hapner and American Insurance & Investments, LLC** ("Respondents") violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). In light of the serious nature of these allegations, the Director of Insurance for the State of Arizona ("Director") finds that the public health, safety and welfare imperatively require emergency action, within the meaning of A.R.S. §41-1092.11(B).

**FINDINGS OF FACT**

1. Kenneth Charles Hapner ("Hapner") is, and was at all material times, licensed as an Arizona resident property and casualty insurance producer, Arizona license number 58954, which license expires November 30, 2009.
2. Hapner's addresses of record with the Department are: c/o American Ins. & Investments, LLC, 8141 Florentine #A, Prescott, Arizona 86314 (business and mailing) and 567 King Way, Mohave Valley, Arizona 86440 (residence).
3. American Insurance & Investments, LLC ("American") is an Arizona Limited Liability Company incorporated on March 16, 2005 which is currently licensed as an Arizona resident property and casualty insurance producer, Arizona license number 890645, which expires May 31, 2011. Hapner is, and was at all material times, owner and operator of American. At all times material, American was not licensed as an insurance producer nor was it exempt from being licensed. American first became licensed on or about May 1, 2007.

1           4.     American's address of record with the Department is: 8141 Florentine Rd., Suite  
2 A, Prescott Valley, Arizona 86314.

3           5.     While unlicensed, American entered into the following contracts with insurers:

4           a.     On January 29, 2003, American contracted with AIG Specialty Auto Insurance  
5 Company ("AIG") to transact insurance on its behalf in Arizona. Hapner signed  
6 the contract as Owner/Agent.

7           b.     On March 18, 2004, American contracted with Phoenix Indemnity Insurance  
8 Company ("Phoenix Indemnity") to transact insurance on its behalf in Arizona.  
9 Hapner signed the contract as Owner/Broker.

10          c.     On March 22, 2005, American contracted with Dairyland Insurance Company  
11 ("Dairyland") to transact insurance on its behalf in Arizona. Hapner signed the  
12 contract as Owner/Broker.

13          d.     On May 17, 2006, American contracted with Bristol West Insurance Services  
14 of Nevada, Inc. (the general agent for Coast National Insurance Company)  
15 ("Bristol West") to transact insurance on its behalf in Arizona. Hapner signed the  
16 contract as Owner/Broker.

17          6.     On January 12, 2005, Hapner contracted with Victoria Insurance Company  
18 ("Victoria") to transact insurance on its behalf in Arizona.

19          7.     On March 7, 2006, Hapner contracted with AAA Members Insurance Company  
20 and AAA Fire & Casualty ("AAA") to transact insurance on their behalf in Arizona.

21          8.     Between January 1, 2006 and June 30, 2007, as a general business practice,  
22 Respondents misrepresented insurance premium prices to their clients by charging fees that  
23 were not filed with or approved by the Department. Respondents quoted the fees as part of  
the premium and failed to disclose the fees to their clients as a separate charge. Between  
January 1, 2006 and November 15, 2006, Respondents charged 233 clients \$4,748.73 in  
unapproved fees.

          9.     Between January 1, 2006 and June 30, 2007, Respondents failed to remit or  
timely remit (72 hours) premium payments to insurers resulting in 64 policy cancellations.

1 During the same period, Respondents failed to remit a total of \$8,278.79 in premium payments  
2 to insurers.

3 10. During January 1, 2006 and June 30, 2007, the following insurers received NSF  
4 (Insufficient Funds) notices when they swept the American premium account:

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- 6 b. Victoria – 10 NSF notices totaling \$1,280.09.
- 7 c. Dairyland – 16 NSF notices totaling \$2,384.60.
- 8 d. AAA – 2 NSF notices totaling \$353.98
- 9 e. Bristol West – 3 NSF notices totaling \$159.20.
- 10 f. AIG – 12 NSF notices totaling \$1,977.84.

11 11. Between January 2006 and August 2006, seven policyholders paid Respondents  
12 their policy premium in full. Respondents failed to remit these premium payments in full but  
13 made monthly installments instead.

14 12. The public health, safety and welfare imperatively require emergency action.

### 15 **CONCLUSIONS OF LAW**

16 1. The Director has jurisdiction over this matter.

17 2. Respondents' conduct as described above constitutes improperly withholding,  
18 misappropriating or converting any monies received in the course of doing insurance business,  
19 within the meaning of A.R.S. § 20-295(A)(4).

20 3. Respondents' conduct as described above constitutes intentionally  
21 misrepresenting the terms of an actual or proposed insurance contract or application for  
22 insurance, within the meaning of A.R.S. § 20-295(A)(5).  
23

1 4. Respondents' conduct as described above constitutes using fraudulent, coercive  
2 or dishonest practices, or demonstrating incompetence, untrustworthiness or financial  
3 irresponsibility in the conduct of business within the meaning of A.R.S. § 20-295(A)(8).

4 5. Respondents' conduct, as alleged above, constitutes charging or receiving a  
5 fee or service charge in addition to the premium charged for services customarily provided in  
6 the transaction of insurance without filing it with and receiving approval from the Department,  
7 within the meaning of A.R.S. §20-465.

8 6. American's conduct, as alleged above, constitutes violating the requirement that  
9 a person shall not sell, solicit or negotiate insurance in this state for any class or classes of  
10 insurance unless the person is licensed for that line of authority, within the meaning of A.R.S.  
11 § 20-282.

12 7. Respondents' conduct, as alleged above, constitutes violating any provision of  
13 Title 20, within the meaning of A.R.S. § 20-295(A)(2).

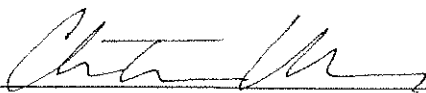
14 8. Grounds exist for the Director to suspend, revoke, or refuse to renew  
15 Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant to  
16 A.R.S. §§20-295(A), (B) and (F).

17 **ORDER**

18 IT IS HEREBY ORDERED THAT:

19 1. The insurance producer's licenses held by Respondents are summarily  
20 suspended effective immediately upon entry of this Order.

21 DATED this 28<sup>th</sup> day of August 2007.

22   
23 \_\_\_\_\_  
CHRISTINA URIAS  
Director of Insurance

1 **NOTICE OF HEARING**

2 PLEASE TAKE NOTICE that the above-captioned matter will be heard before the  
3 Director of Insurance of the State of Arizona (the "Director") or her duly designated  
4 representative on **October 23, 2007, at 9:00 a.m., at the Office of Administrative Hearings,**  
5 **1400 West Washington, Suite 101, Phoenix, Arizona 85007<sup>1</sup>.**

6 If you wish to continue this hearing to another date, you must file a motion in writing  
7 with the Office of Administrative Hearings not less than **15** days before the scheduled hearing  
8 date. Please send it to the attention of the Administrative Law Judge ("ALJ") and include the  
9 docket number listed above. You must also mail or hand-deliver a copy of any motion to  
10 continue to the Department of Insurance on the same date you file it with the Office of  
11 Administrative Hearings.

12 You are not required to have an attorney represent you. However, if you are  
13 represented, your attorney must be licensed to practice law in the State of Arizona. An  
14 insurance company may be represented by a corporate officer. A.R.S. § 20-161(B).

15 You are entitled to be present during the giving of all evidence and you will have a  
16 reasonable opportunity to inspect all documentary evidence, examine witnesses, present  
17 evidence that supports your case and to request that the ALJ issue subpoenas to compel the  
18 attendance of witnesses and production of evidence. A.R.S. §20-164(B).

19 A clear and accurate record of the proceedings will be made either by a court reporter  
20 or by electronic means. A.R.S. §41-1092.07(E). If you want a copy of an electronic recording,  
21 you must contact the Office of Administrative Hearings at (602) 542-9826. If the hearing was  
22 transcribed by a court reporter and you want a copy of the transcript, you must pay the cost of  
23 the transcript to the court reporter or other transcriber

If you have questions concerning this Summary Suspension and Notice of Hearing please  
direct them to Assistant Attorney General Alyse Meislik, (602) 542-7727, 1275 West  
Washington Street, Phoenix, Arizona 85007-2926.

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<sup>1</sup>As authorized under Arizona Revised Statutes ("A.R.S.") §§20-161 through and including  
20-165 and Title 41, Chapter 6, Article 10 (A.R.S. § 41-1092 *et seq.*).

1 **NOTICE OF APPLICABLE RULES**

2 On January 23, 1992, we adopted the rules of practice and procedure applicable in  
3 contested cases before the Director of Insurance. The hearing will be conducted pursuant to  
4 these rules. A.A.C. R20-6-101 through R20-6-115.

5 YOU MUST FILE A WRITTEN RESPONSE (ANSWER) TO THE ALLEGATIONS IN  
6 THIS NOTICE WITH US WITHIN **20** DAYS AFTER WE ISSUE THIS NOTICE. A.A.C.  
7 R20-6-106. YOUR RESPONSE SHOULD STATE YOUR POSITION OR DEFENSE AND  
8 SHOULD SPECIFICALLY ADMIT OR DENY EACH ASSERTION IN THE NOTICE. IF YOU  
9 DO NOT SPECIFICALLY DENY AN ASSERTION, WE WILL CONSIDER IT ADMITTED. ANY  
10 DEFENSE YOU DO NOT RAISE WILL BE CONSIDERED WAIVED.

11 IF YOU DO NOT FILE YOUR RESPONSE ON TIME, WE WILL CONSIDER YOU IN  
12 DEFAULT AND THE DIRECTOR MAY DEEM THE ALLEGATIONS IN THE NOTICE AS  
13 TRUE. ACCORDINGLY, WE WILL TAKE WHATEVER ACTION IS APPROPRIATE  
14 INCLUDING SUSPENSION, REVOCATION, IMPOSITION OF A CIVIL PENALTY AND  
15 ORDERING RESTITUTION TO ANY INJURED PERSON.

16 **PERSONS WITH DISABILITIES**

17 PERSONS WITH DISABILITIES MAY REQUEST REASONABLE  
18 ACCOMMODATIONS SUCH AS INTERPRETERS, ALTERNATIVE FORMATS, OR  
19 ASSISTANCE WITH PHYSICAL ACCESSIBILITY. REQUESTS FOR ACCOMMODATIONS  
20 SHOULD BE MADE AS EARLY AS POSSIBLE TO ALLOW TIME TO ARRANGE THE  
21 ACCOMMODATIONS. IF YOU REQUIRE ACCOMMODATIONS, PLEASE CONTACT THE  
22 OFFICE OF ADMINISTRATIVE HEARINGS AT (602) 542-9826.

23 COPIES of the foregoing mailed/delivered  
this 29<sup>th</sup> day of August, 2007, to:

Kenneth Charles Hapner  
American Insurance & Investments, LLC  
8141 Florentine Rd, Suite A  
Prescott Valley, AZ 86314  
Respondent

Kenneth Charles Hapner  
567 King Way

1 Mohave Valley, Arizona 86440  
Respondent

2 Christy Brown  
3 Low & Childers, P.C.  
2999 N. 44th St., Suite 250  
4 Phoenix, AZ 85018  
Attorney for Respondent

5 Alyse Meislik  
6 Office of the Arizona Attorney General  
Consumer Protection & Advocacy Section  
7 1275 West Washington  
Phoenix, AZ 85007

8 Mary E. Kosinski, Exec. Assistant for Reg. Affairs  
9 Catherine M. O'Neil, Consumer Legal Affairs Officer  
Terry Cooper, Assistant Director  
10 Steve Fromholtz, Licensing Supervisor  
Arnold Sniegowski, Investigations Supervisor  
11 Mark Denman, Investigator  
Department of Insurance  
12 2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

13   
14 Curvey Walters Burton

SEP 7 2007

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE

In the Matter of: )  
 )  
 )  
 KENNETH CHARLES HAPNER )  
 (License number 58954) and )  
 AMERICAN INSURANCE & INVESTMENTS, )  
 LLC (License number 890645), )  
 )  
 Respondents. )

No. 07A-154-INS BY JB  
 STAY OF ORDER SUMMARILY  
 SUSPENDING INSURANCE  
 PRODUCER LICENSE OF AMERICAN  
 INSURANCE & INVESTMENTS, LLC  
 (Administrative Law Judge  
 Lewis D. Kowal)

**FINDINGS OF FACT**

1. On August 29, 2007, the Arizona Department of Insurance ("Department") issued an Order Summarily Suspending Insurance Producer Licenses (the "Order") and Notice of Hearing in the above captioned matter. The Order summarily suspended the licenses of both Kenneth Charles Hapner, license number 58954, and American Insurance & Investments, LLC, license number 890645.

2. On September 4, 2007, Respondents filed a Motion to Set Aside Order Summarily Suspending Insurance Producer License or in the Alternative Motion for a Prompt Hearing ("Respondents' Motion").

3. On September 5, 2007, Administrative Law Judge Kowal filed a Minute Entry allowing the Department to file a written response to Respondents' Motion.

4. Respondents have represented to the Department that American Insurance & Investments, LLC employs at least one other person in addition to Kenneth Charles Hapner, namely, Candance May McCormick, who holds a license as a property and casualty producer, license number 883337, which expires on December 31, 2010.

**CONCLUSIONS OF LAW**

1. The Director has jurisdiction. A.R.S. § 20-162(B).

**ORDER**

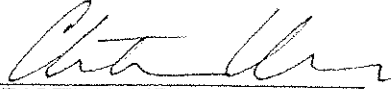
1. The Order summarily suspending the insurance producer license of American Insurance & Investments, LLC, license number 890645, is stayed pending the hearing on this



1 matter currently scheduled for October 23, 2007.

2 2. This Order does not stay the Order summarily suspending the insurance  
3 producer license of Kenneth Charles Hapner, license number 58854.

4 DATED this 6<sup>th</sup> day of September, 2007.

5   
6 CHRISTINA URIAS, Director  
Arizona Department of Insurance

7 COPIES of the foregoing mailed/delivered  
8 this 17<sup>th</sup> day of September, 2007, to:

9 Kenneth Charles Hapner  
10 American Insurance & Investments, LLC  
8141 Florentine Rd, Suite A  
11 Prescott Valley, AZ 86314  
Respondent

12 Kenneth Charles Hapner  
13 567 King Way  
Mohave Valley, Arizona 86440  
Respondent

14 Christy Brown  
15 Low & Childers, P.C.  
2999 N. 44th St., Suite 250  
16 Phoenix, AZ 85018  
Attorney for Respondent

17 Alyse Meislik  
18 Office of the Arizona Attorney General  
Consumer Protection & Advocacy Section  
1275 West Washington  
19 Phoenix, AZ 85007

20 Mary E. Kosinski, Exec. Assistant for Reg. Affairs  
Catherine M. O'Neil, Consumer Legal Affairs Officer  
21 Terry Cooper, Assistant Director  
Steve Fromholtz, Licensing Supervisor  
22 Arnold Sniegowski, Investigations Supervisor  
Mark Denman, Investigator  
23 Department of Insurance  
2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

*Janet K. Bechard* for  
Curvey Walters Burton

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