

1 **CONCLUSIONS OF LAW**

2 1. The Director has jurisdiction over this matter.

3 2. Respondent's conduct as described above constitutes improperly withholding
4 and misappropriating monies in the course of insurance business within the meaning of
5 A.R.S.§20-295(A)(4).

6 3. Respondent's conduct as described above constitutes having been convicted of
7 a felony, within the meaning of A.R.S.§20-295(A)(6).

8 4. Respondent's conduct as described above constitutes having admitted or been
9 found to have committed any insurance unfair trade practice or fraud within the meaning of
10 A.R.S.§20-295(A)(7).

11 5. Respondent's conduct as described above constitutes using fraudulent, coercive
12 or dishonest practices, or demonstrating incompetence, untrustworthiness or financial
13 irresponsibility in the conduct of business in this state or elsewhere within the meaning of
14 A.R.S.§20-295(A)(8).

15 6. Respondent's conduct as described above constitutes forging another's name to
16 any document related to an insurance transaction within the meaning of A.R.S.§20-
17 295(A)(10).

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

1 5. Respondent acknowledges that the acceptance of this Consent Order by the
2 Director is solely to settle this matter against him and does not preclude any other agency,
3 officer, or subdivision of this state from instituting civil or criminal proceedings as may be
4 appropriate now or in the future.

5 6. Respondent acknowledges that this Consent Order is an administrative action
6 that the Department will report to the National Association of Insurance Commissioners
7 (NAIC). Respondent further acknowledges that he must report this administrative action to
8 any and all states in which he holds an insurance license and must disclose this administrative
9 action on any license application.


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11 10/10/2007
Date


Michael Douglas Sommerfeld, License No. 115530

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14 COPIES of the foregoing mailed/delivered
this 1st day of November, 2007, to:

15 Michael Douglas Sommerfeld
16 14932 W. Dovestar Drive
Surprise, AZ 85374

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18 Mary Kosinsk, Executive Assistant for Regulatory Affairs
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