

APR 23 2008

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:

No. 07A-211-INS

**OLEN PETER BUSCHEGGER, dba
MOM'S BAIL BONDS, dba MR. ROACH,
INC.**

**FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

Respondent.

On March 24, 2008, 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 Respondent 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, Respondent has failed to file an answer. On April 16, 2008, counsel for the Department filed a Request for Default. 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. Respondent's conduct, as described above, constitutes violating any provision of Title 20, or any rule, subpoena, or order of the Director of Insurance of the State of Arizona ("Director"), within the meaning of A.R.S. § 20-295(A)(2) and § 20-340.06.

1 2. Respondent's conduct, as described above, constitutes improperly
2 withholding and misappropriating monies in the course of insurance business, within the
3 meaning of A.R.S. § 20-295(A)(4) and § 20-340.06 and A.A.C. R20-6-601(E)(4)(b).

4 3. Respondent's conduct, as described above, constitutes using fraudulent,
5 coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or
6 financial irresponsibility in the conduct of business in this state or elsewhere, within the
7 meaning of A.R.S. § 20-295(A)(8) and § 20-340.06.

8 4. Respondent's conduct, as described above, constitutes charging or collecting
9 monies for purposes other than the statutorily permissible purposes, within the meaning of
10 A.R.S. § 20-340.03(D) and A.A.C. R20-6-601(E)(2).

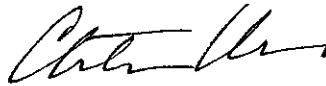
11 5. Grounds exist for the Director to suspend, revoke, or refuse to renew
12 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
13 A.R.S. §§ 20-295(A) and (F) and 20-340.06.

14 ORDER

15 1. The Insurance license held by Respondent is revoked, effective upon the
16 issuance of this Order.

17 2. The hearing set for April 29, 2008, at 1:30 p.m. before Administrative Law
18 Judge, Lewis Kowal shall be vacated.

19 DATED this 22nd day of April, 2008.

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22 _____
23 CHRISTINA URIAS, Director
24 Arizona Department of Insurance

24 ...

25 ...

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1 COPY of the foregoing mailed this
2 23rd day of April, 2007 to:


3 Lewis Kowal, Administrative Law Judge
4 Office of Administrative Hearings
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6 Phoenix, Arizona 85007

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25 Respondent

26 
190862:PHX-AGN/2007-0464

**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.