

AUG 29 2008

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY MS

In the Matter of )  
 )  
 **BRIAN PAUL SPIELMAN,** )  
 )  
 )  
 )  
 Respondent. )

Docket No. 08A-135-INS

**ORDER SUMMARILY SUSPENDING  
BAIL BOND AGENT LICENSE  
AND NOTICE OF OPPORTUNITY  
FOR HEARING**

The Arizona Department of Insurance (the "Department") alleges that **Brian Paul Spielman** has violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. 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. Brian Paul Spielman ("Respondent") is licensed as a bail bond agent, Arizona license number 850172 which expires on July 31, 2009.
2. Respondent's addresses of record with the Department are: c/o Bail Anytime, 40 N. Central Ave., #1400, Phoenix, Arizona 85004 (business and mailing); and 71 N. Del Pueblo Pl., Chandler, Arizona 85226 (residence).
3. On May 7, 2008, the insurer holding Respondent's surety bond notified the Department that Respondent's bail agent bond was to be cancelled on June 1, 2008.

1         4.       On June 16, 2008, the Department sent Respondent a letter at his mailing  
2 address of record, notifying Respondent that he had failed to maintain a surety bond as  
3 required by law.

4         5.       As of June 1, 2008, Respondent has not maintained a bond in favor of this State  
5 executed by a surety insurer authorized to do business in this State.

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

7    **CONCLUSIONS OF LAW**

- 8         1.       The Director has jurisdiction.
- 9         2.       Respondent's conduct constitutes a violation of the requirement that each bail  
10 bond agent maintain in force while license a bond in favor of this State executed by a surety  
11 insurer authorized to do business in this State, within the meaning of A.R.S. § 20-340.02.

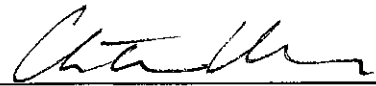
12         3.       Grounds exist to order a summary suspension within the meaning of A.R.S. §  
13 41-1092.11(B).

14    **ORDER**

15         IT IS HEREBY ORDERED THAT:

- 16         1.       Respondent's license is summarily suspended effective immediately.

17         DATED AND EFFECTIVE this 25<sup>th</sup> day of August, 2008.

19      
20    \_\_\_\_\_  
21 CHISTINA URIAS  
22 Director of Insurance  
23

1 **NOTICE OF OPPORTUNITY FOR HEARING**

2 Pursuant to Title 20 of the Arizona Revised Statutes, Respondent is hereby notified  
3 that Respondent may request a hearing pursuant to A.R.S. § 20-161 to contest the summary  
4 suspension. Such request must be in writing and received at the following address within  
5 thirty (30) days from the date hereof:

6 **Arizona Department of Insurance**  
7 **2910 North 44<sup>th</sup> Street, Suite 210**  
8 **Phoenix, Arizona 85018-7269**

9 Upon receipt of a timely written request for hearing, the Director will issue an order  
10 setting the time and place of the hearing.

11 COPY of the foregoing mailed, return receipt requested,  
12 this 29<sup>th</sup> day of August, 2008, to:

13 Brian Paul Spielman  
14 c/o Bail Anytime  
15 40 N. Central Ave., #1400  
16 Phoenix, Arizona 85004  
17 Respondent

18 Brian Paul Spielman  
19 71 N. Del Pueblo Pl.  
20 Chandler, Arizona 85226  
21 Respondent

22 COPY of the foregoing mailed  
23 this 29<sup>th</sup> day of August, 2008, to:

24 Mary Butterfield, Assistant Director  
25 Mary E. Kosinski, Exec. Asst. – Regulatory Affairs  
26 Steven Fromholtz, Licensing Director  
27 Catherine M. O’Neil, Assistant Director  
28 Arnold Sniegowski, Administrative Investigations  
29 Arizona Department of Insurance  
30 2910 N. 44th Street, Suite 210  
31 Phoenix, Arizona 85018

32 Office of the Attorney General  
33 Consumer Protection and Advocacy Section

1 Agency Unit  
1275 W. Washington  
2 Phoenix, Arizona 85007-2997

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*Maidene Scheiner for*  
5 Curvey Burton

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