

1 2. Solicit means attempting to sell insurance or asking or urging a person to apply
 2 for a particular kind of insurance from a particular company, within the meaning of A.R.S. § 20-
 3 281(15).

4 3. A person shall not sell, solicit or negotiate insurance in this state for any class or
 5 classes of insurance unless the person is licensed for that line of authority, within the meaning
 6 of A.R.S. § 20-282.

7 4. Respondent's conduct, as described above, constitutes paying a commission,
 8 service fee, brokerage or other valuable consideration to a person for selling, soliciting or
 9 negotiating insurance in this state if that person is required to be licensed and is not so
 10 licensed, within the meaning of A.R.S. § 20-298(A).

11 5. Respondent's conduct, as described above, constitutes a violation of any
 12 provision of Title 20, within the meaning of A.R.S. § 20-295(A)(2).

13 6. Grounds exist for the Director to order Respondent to cease and desist pursuant
 14 to A.R.S. § 20-292.

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

ORDER

IT IS HEREBY ORDERED THAT:


18
 19 1. Respondent shall cease and desist his violative conduct immediately.

20 ...
 21 ...
 22 ...
 23 ...

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

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


8 9/24/08
Date


Justin Merle Birch, License Number 194431

9 COPIES of the foregoing mailed/delivered
10 this 9th day of October, 2008, to:

11 Justin Merle Birch
12 607 W. Forest Dr.
13 Payson, AZ 85541

14 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
15 Catherine M. O'Neil, Consumer Legal Affairs Officer
16 Terry Cooper, Assistant Director
17 Steve Fromholtz, Licensing Supervisor
18 Emily Bell, Investigator
19 Department of Insurance
20 2910 North 44th Street, Suite 210
21 Phoenix, Arizona 85018

22 
23 Curvey Walters Burton