

NOV 10 2009

DEPT OF INSURANCE  
BY CB

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

1 In the Matter of )  
 2 )  
 3 )  
 4 **CAIN, ROSE MARY,** )  
 5 **(Arizona License # 152158),** )  
 6 **EMD BROKERAGE GROUP, LLC,** )  
 7 **(Arizona License #948393), and** )  
 8 **INTERNATIONAL CASUALTY WRITERS,** )  
 9 **LLC, (Arizona License #880674),** )  
 10 Respondents. )

**Docket No. 09A-126-INS**  
**ORDER SUMMARILY SUSPENDING**  
**INSURANCE PRODUCER LICENSE**  
**AND NOTICE OF HEARING**  
  
**(Administrative Law Judge**  
**Kay Abramsohn)**

9 The Arizona Department of Insurance (the "Department") alleges that **Rose Mary**  
 10 **Cain, EMD Brokerage Group, LLC and International Casualty Writers, LLC**  
 11 **("Respondents")** have violated provisions of Arizona Revised Statutes ("A.R.S."), Title 20. In  
 12 light of the serious nature of these allegations, the Director of Insurance for the State of  
 13 Arizona ("Director") finds that the public health, safety and welfare imperatively require  
 14 emergency action, within the meaning of A.R.S. §41-1092.11(B).

**FINDINGS OF FACT**

- 16 1. Rose Mary Cain ("Cain" or "Respondent Cain") is, and was at all times material,  
 17 licensed as a resident accident/health, property, casualty producer and surplus lines broker,  
 18 Arizona license # 152158, which expires on October 31, 2012.
- 19 2. Cain's address of record with the Department is: 20102 E. Camina Buena Vista,  
 20 Queen Creek, Arizona 85242.
- 21 3. EMD Brokerage Group, LLC ("EMD" or "Respondent EMD") is, and was at all  
 22 times material, licensed as a resident accident/health, property and casualty producer, Arizona  
 23

1 license # 948393, which expires on July 31, 2013. Cain is the Manager/Member and  
2 Designated Responsible Licensed Producer for EMD.

3 4. EMD's addresses of record with the Department are: 20102 E. Camina Buena  
4 Vista, Queen Creek, Arizona 85142 (business); and 18521 W. Queen Creek Rd., Ste 105  
5 #173, Queen Creek, Arizona 85142 (mailing).

6 5. International Casualty Writers, LLC ("ICW" or "Respondent ICW") is, and was at  
7 all times material, licensed as a resident accident/health, property and casualty producer and  
8 surplus lines broker, Arizona license # 880674, which expires on December 31, 2010. Cain is  
9 the Member and Designed Responsible Licensed Producer for ICW.

10 6. ICW's address of record with the Department is: 18251 E. Queen Creek Rd.,  
11 Suite 105 #173, Queen Creek, Arizona 85242.

12 7. On September 9, 2009, Rockwood Programs, Inc. filed a complaint with the  
13 Department ("Rockwood Complaint"). The Rockwood Complaint stated that on or about April  
14 16, 2009, Edgewood Partners Insurance Center ("EPIC") contacted Cain to place coverage for  
15 Bad Boyz Bail Bonds. Because Cain did not have direct access to market the specific type of  
16 risk being requested, Cain contacted Rockwood Programs, Inc. ("Rockwood") for placement of  
17 the coverage.

18 8. On April 24, 2009, Rockwood provided Cain a quote for two policies underwritten  
19 by Beazley USA Service, Inc. ("Beazley policies").

20 9. On June 1, 2009, Bad Boyz Bail Bonds deposited \$25,829.96 with Premium  
21 Assignment Corporation (a premium finance company) for purchase of the Beazley policies.  
22 The balance of the premium due, \$73,634.06, was financed by Premium Assignment  
23 Corporation and paid directly to EPIC.







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 COPY of the foregoing mailed, return receipt requested,  
this 10th day of Nov., 2009, to:

Rose Mary Cain  
20102 E. Camina Buena Vista  
Queen Creek, Arizona 85242  
Respondent

1 Lawrence Brown  
Law Offices of Lawrence Brown  
2 512 Main Street, suite 712  
Fort Worth, TX 76102  
3 Attorney for Respondent Cain


4 EMD Brokerage Group, LLC  
18521 W. Queen Creek Rd., Ste 105 #173  
5 Queen Creek, Arizona 85142  
Respondent

6 International Casualty Writers, LLC  
7 18251 E. Queen Creek Rd., Suite 105 #173  
Queen Creek, Arizona 85242  
8 Respondent

9 COPY of the foregoing mailed  
this 10th day of November, 2009, to:

10 Gerrie Marks, Deputy Director  
Mary Butterfield, Assistant Director  
11 Mary E. Kosinski, Exec. Asst. – Regulatory Affairs  
Steven Fromholtz, Licensing Administrator  
12 Charles Gregory, Acting Assistant Director  
Arnold Sniegowski, Investigator  
13 Arizona Department of Insurance  
2910 N. 44th Street, Suite 210  
14 Phoenix, Arizona 85018

15 Lynette Evans  
Office of the Attorney General  
16 Consumer Protection and Advocacy Section  
Agency Unit  
17 1275 W. Washington  
Phoenix, Arizona 85007-2997

18  
19   
Curvey Burton