

1 producer license based on a finding that he improperly withheld, misappropriated or
2 converted any monies or properties received in the course of doing insurance business.

3 4. Thomas did not report the administrative action to the Department within 30
4 days.

5 5. On September 14, 2009, the United States District Court, Eastern District of
6 Kentucky – Southern Division of London, entered a Judgment in a Criminal Case, United
7 States of America v. David C. Thomas, Case Number 6:08-CR-10-01-GFVT convicting
8 Thomas of ten counts of mail fraud, a felony.

9 6. Thomas did not report the criminal conviction to the Department within 30
10 days.

11 CONCLUSIONS OF LAW

12 1. The Director has jurisdiction over this matter.

13 2. Respondent's conduct, as alleged above, constitutes failure to meet the
14 requirement for non-resident licensure that the person is currently licensed as a resident
15 and in good standing in the person's home state, within the meaning of A.R.S. § 20-
16 287(A)(1).

17 3. Respondent's conduct, as alleged above, constitutes failure to report any
18 administrative action taken against the producer in another jurisdiction within thirty days
19 after the final disposition of the matter, within the meaning of A.R.S. § 20-301(A).

20 4. Respondent's conduct, as alleged above, constitutes failure to report any
21 criminal prosecution of the producer taken in any jurisdiction to the director within thirty
22 days after the initial pretrial hearing date, within the meaning of A.R.S. § 20-301(B).

23 5. Respondent's conduct, as alleged above, constitutes a violation of Title 20,
24 within the meaning of A.R.S. § 20-295(A)(2).

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

1 4. Respondent states that no promise of any kind or nature whatsoever, except
2 as expressly contained in this Consent Order, was made to him to induce him to enter into
3 this Consent Order and that he has entered into this Consent Order voluntarily.

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

8 6. Respondent acknowledges that this Consent Order is an administrative action
9 that the Department will report to the National Association of Insurance Commissioners
10 (NAIC). Respondent further acknowledges that he must report this administrative action to
11 any and all states in which he holds an insurance license and must disclose this
12 administrative action on any license application.
13

14
15 1-25-10

16 Date

14
15 David C. Thomas

16 David C. Thomas, Arizona License # 896731
17 National. Prod. # 2202141

18 COPY of the foregoing mailed this
19 2nd day of February, 2010 to:

20 Mary Kosinski, Executive Assistant for Regulatory Affairs
21 Mary Butterfield, Assistant Director
22 Catherine M. O'Neil, Consumer Legal Affairs Officer
23 Steven Fromholtz, Licensing Director
24 Dan Ray, Investigations
25 Arizona Department of Insurance
26 2910 North 44th Street, Suite 210
 Phoenix, Arizona 85018

24 David C. Thomas, Register # 12371-032
25 FCI EDGEFIELD
26 Federal Correctional Institution
 P.O. Box 725

Edgefield, SC 29824
Respondent

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Curvey Walters Burton

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