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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

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In the Matter of: )  
)  
**WELLS, JARED BENJAMIN,** )  
(Arizona License Number 1007466) )  
(National Producer Number 16429832) )  
and **GUARDIAN PUBLIC ADJUSTERS, INC.** )  
(Arizona License Number 1007862) )  
)  
Respondents. )  
)  
)  
)

No. 12A-111- INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Jared Benjamin Wells and Guardian Public Adjusters, Inc.** ("**Respondents**") violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Jared Benjamin Wells ("Wells") is, and was at all times material, licensed as an Arizona non-resident adjuster, Arizona license number 1007466, which expires on April 30, 2015. Wells holds a resident adjuster license in Texas.

2. Wells' addresses of record are: 11200 Westhiemer RS, Suite 900, Houston, Texas 77042 (business and mailing); and 511 Fairdale, Friendswood, Texas 77546 (residence).

3. Guardian Public Adjusters, Inc. ("Guardian") is, and was at all times material, licensed as an Arizona resident adjuster, Arizona license number 1007862, which expires on

1 November 30, 2015. Wells is the President and Designated Responsible Licensed Producer  
2 for Guardian.

3 4. On or about April 23, 2012, Allstate Insurance Company ("Allstate") filed a  
4 Complaint with the Department stating that Guardian was using two unlicensed adjusters  
5 (Todd and Theresa Simmons) to adjust, investigate or negotiate three claims for Arizona  
6 residents.

7 5. On or about May 2, 2012, the Department sent to Wells via US Certified Mail a  
8 subpoena requiring him to produce documents and appear for an interview on or before 10:00  
9 A.M. on May 22, 2012 regarding the two unlicensed adjusters. Someone at Guardian signed  
10 the certified mail receipt.

11 6. Wells failed to comply with the Department's subpoena.

#### 12 **CONCLUSIONS OF LAW**

13 1. The Director has jurisdiction over this matter.

14 2. Wells' conduct as described above constitutes violating any provision of A.R.S.  
15 Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S. §20-  
16 295(A)(2).

17 3. Grounds exist for the Director to deny, suspend for not more than twelve months,  
18 revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order  
19 restitution pursuant to A.R.S. §§20-295(A) and (F).

20 4. Grounds exist for the Director to deny, suspend for not more twelve months,  
21 revoke or refuse to renew the license of a business entity for any of the causes prescribed in  
22 A.R.S. § 20-295(A) if the cause relates to the designated producer or any member, officer,  
23 director or manager of the business entity pursuant to A.R.S. § 20-295(B).



1 3. Respondents are aware of their right to notice and a hearing at which they may  
2 be represented by counsel, present evidence and examine witnesses. Respondents  
3 irrevocably waive their right to such notice and hearing and to any court appeals relating to this  
4 Consent Order.

5 4. Respondents state that no promise of any kind or nature whatsoever, except as  
6 expressly contained in this Consent Order, was made to them to induce them to enter into this  
7 Consent Order and that they have entered into this Consent Order voluntarily.

8 5. Respondents acknowledge that the acceptance of this Consent Order by the  
9 Director is solely to settle this matter against them and does not preclude any other agency,  
10 officer, or subdivision of this state including the Department from instituting civil or criminal  
11 proceedings as may be appropriate now or in the future.

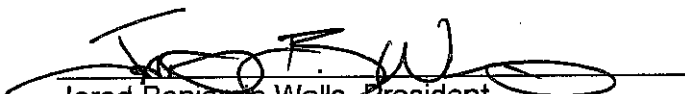
12 6. Respondents acknowledge that this Consent Order is an administrative action  
13 that the Department will report to the National Association of Insurance Commissioners (NAIC)  
14 and that they may have to report this administrative action on any future licensing applications  
15 either to the Department or other states' Departments of Insurance.

16 7. Jared Benjamin Wells represents that he is the President of Guardian Public  
17 Adjusters, Inc. and, as such, is authorized to enter into this Consent Order on its behalf.

Guardian Public Adjusters, Inc., License # 1007862

18  
19 26 Oct 12

Date

  
Jared Benjamin Wells, President

20  
21 26 Oct 12

Date

  
Jared Benjamin Wells, License No. 1007466

1 COPIES of the foregoing mailed/delivered  
this 5th day of November, 2012, to:

2 Jared Benjamin Wells  
3 c/o Guardian Public Adjusters, Inc.  
4 11200 Westhiemer RS, Suite 900  
Houston, Texas 77042  
Respondent

5 Jared Benjamin Wells  
6 511 Fairdale  
Friendswood, Texas 77546  
7 Respondent

8 Guardian Public Adjusters, Inc.  
9 11200 Westhiemer RS, Suite 900  
Houston, Texas 77042  
Respondent

10 Tammy Eigenheer, Administrative Law Judge  
11 Office of Administrative Hearings  
12 1400 West Washington, Suite 101  
Phoenix, Arizona 85007

13 Lynette Evans  
Assistant Attorney General  
14 1275 West Washington, Suite 101  
Phoenix, Arizona 85007

15 Mary Kosinski, Executive Assistant for Regulatory Affairs  
16 Catherine M. O'Neil, Consumer Legal Affairs Officer  
17 Steve Fromholtz, Licensing Supervisor  
Charles Gregory, Investigations Supervisor  
18 Arnold Sniegowski, Investigator  
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2910 North 44<sup>th</sup> Street, Suite 210  
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20 Curvey Walters Burton

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