

APR 27 2012

DEPT OF INSURANCE
BY 

State of Arizona
DEPARTMENT OF INSURANCE

In the Matter of:

RISING, GERALD R. (JR),
(Arizona License # 206527)
(NPN # 807977)

Respondent.

No. 12A-152-INS

CONSENT ORDER

The State of Arizona Department of Insurance ("Department") has received evidence that **Gerald R. Rising, Jr.** has violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Gerald R. Rising, Jr. ("Rising" or "Respondent") is licensed with the Department as a non-resident accident/health and life producer, Arizona license number 206527, which expires on August 31, 2013. Rising's resident state is Colorado.

2. Rising's addresses of record are: 9000 E. Nichols Ave., #125, Centennial, Colorado 80112 (business and mailing); and 7670 E. Phillips Cir., Centennial, CO 80112 (residence).

3. On or about August 31, 2011, the Colorado Department of Insurance placed Rising's resident license in "Inactive" status.

...

...

1 **CONCLUSIONS OF LAW**

2 1. The Director has jurisdiction over this matter.

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

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

9 **ORDER**

10 **IT IS HEREBY ORDERED THAT:**

11 1. Respondent may surrender his non-resident license, Arizona license number
12 206527.

13 DATED AND EFFECTIVE this 27th day of April, 2012.

14 
15 _____
16 CHRISTINA URIAS
17 Director of Insurance

18 **CONSENT TO ORDER**

19 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
20 and Order.


21 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,
22 and admits the foregoing Findings of Fact and consents to the entry of the foregoing
23 Conclusions of Law and Order.


1 3. Respondent is aware of his right to notice and hearing at which he may be
2 represented by counsel, present evidence and examine witnesses. Respondent irrevocably
3 waives his right to such notice and hearing and to any court appeals relating to this Consent
4 Order.

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

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

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

17 
18 _____
Date

17 
18 _____
Gerald R. Rising, Jr., License # 206527

19
20 COPIES of the foregoing mailed/delivered
21 this 27th day of April, 2012, to:

22 Gerald R. Rising, Jr.
23 7670 E. Phillips Circle
Centennial, CO 80112
Respondent

1 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
Mary Butterfield, Assistant Director
2 Catherine M. O'Neil, Consumer Legal Affairs Officer
Steve Fromholtz, Licensing Supervisor
3 Department of Insurance
2910 North 44th Street, Suite 210
4 Phoenix, Arizona 85018

5 
6 Curvey Walters Burton

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23