e c,			
1	STATE OF ARIZONA	STATE OF ARIZONA FILED	
2	DEPARTMENT OF INSURANCE	JAN 22 2014	
3	In the Matter of:	DEPT OF INSURANCE	
4	FINLINSON, WAYNE B (Arizona License Number 905599)No. 14A005	BY	
5	(National Producer Number 4377409) CONSENT ORDE	R	
6	Respondent.		
7			
8	The State of Arizona Department of Insurance ("Department") has received evidence		
9	that Wayne B Finlinson violated provisions of Title 20, Arizona Re	evised Statutes.	
10	Respondent wishes to resolve this matter without the commencem	ent of formal proceedings,	
11	and admits the following Findings of Fact are true and consents to entry of the following		
12	Conclusions of Law and Order.		
13	FINDINGS OF FACT		
14	1. Wayne B Finlinson ("Finlinson" or "Respondent") is, a	and was at all material	
15	times, licensed as an Arizona non-resident accident/health, life, property and casualty		
16	insurance producer, Arizona license number 905599, which expires August 31, 2015.		
17	2. Finlinson's address of record is: 971 S. Morningside	Dr., St. George, Utah	
18	84790 (business and residence) and P.O. Box 910567, St. George	, Utah 84791 (mailing).	
19	3. On or about November 10, 2013, Finlinson forged the	e signature of Gloria Jean	
20	Long ("Mrs. Long") and Louie Silas Long ("Mr. Long") on two individ	dual life insurance policy	
20	applications a total of six times to enroll them in two life insurance policies with Occidental Life		
	Insurance Company of North Carolina ("Occidental.")		
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4. On or about November 10, 2013, Finlinson submitted two fictitious life insurance policy applications to Occidental in the names of Mrs. and Mr. Long.

CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.

2. Respondent's conduct, as described above, constitutes knowingly presenting or causing to be presented or preparing with the knowledge or belief that it will be presented an oral or written statement, including computer generated documents, to or by an insurer, reinsurer, purported insurer or reinsurer, insurance producer or agent of a reinsurer that contains untrue statements of material fact or that fails to state any material fact with respect to an application for the issuance or renewal of an insurance policy, within the meaning of A.R.S. § 20-463(A)(1)(a).

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

4. Respondent's conduct, as described above, constitutes intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance, within the meaning of A.R.S. § 20-295(A)(5).

5. Respondent's conduct, as described above, constitutes using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state, within the meaning of A.R.S. § 20-295(A)(8).

Respondent's conduct as described above, constitutes forging another's name to any document related to an insurance transaction, within the meaning or A.R.S. § 20-295
(A)(10).

1	7. Grounds exist for the Director to deny, suspend for not more than twelve months,		
2	revoke, or refuse to renew an insurance producer's license, impose a civil penalty and/or order		
3	restitution pursuant to A.R.S. §§20-295(A) and (F).		
4	ORDER		
5	IT IS HEREBY ORDERED THAT:		
6	1. Respondents' resident license (Arizona license # 905599) is suspended for a		
7	period of six (6) calendar months effective January 21, 2014 through July 21, 2014.		
8	2. Respondent shall immediately pay a civil penalty of \$2,000.00 for deposit into		
9	the State General Fund.		
10	DATED AND EFFECTIVE this 22 nd day of January, 2013.		
11	Dennaine L. Manh		
12	GERMAINE L. MARKS		
13	Director of Insurance		
14	CONSENT TO ORDER		
15	1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law		
16	and Order.		
17	2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,		
18	and admits the foregoing Findings of Fact and consent to the entry of the foregoing		
19	Conclusions of Law and Order.		
20	3. Respondent is aware of his right to notice and hearing at which he may be		
21	represented by counsel, present evidence and examine witnesses. Respondent irrevocably		
22	waives his right to such notice and hearing and to any court appeals relating to this Consent		
23	Order.		

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

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

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

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Date

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Wayne B Finlinson, Arizona License # 905599

COPIES of the foregoing mailed/delivered this <u>22nd</u> day of <u>January</u>, 2014, to:

Wayne B Finlinson 971 S. Morningside Dr. St. George, Utah 84790 22 Respondent

Mary E. Kosinski, Executive Assistant for Regulatory Affairs Darren T. Ellingson, Deputy Director Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor Charles Gregory, Supervisor Investigations Division Nicolas Lopez, Investigator Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018 Maidere Schemen Ćurvey Burton