

APR 29 2014

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY CW

In the Matter of:

WHEELER, MARK
(Arizona License Number 982382)
(National Producer Number 16111496)

No. 14A-056-INS

CONSENT ORDER

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Mark Wheeler ("Respondent")** violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). 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. Respondent is, and was at all material times, licensed as an Arizona resident accident/health and life insurance producer, Arizona license number 982382, which expires on September 30, 2014.

2. Respondent's address of record is: 5344 E. Acoma Dr., Scottsdale, AZ 85254 (business, mailing and residence).

3. Respondent was at all material times contracted with American Family Life Assurance Company ("AFLAC") as a District Sales Coordinator to transact insurance on their behalf in Arizona.

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4. On or about December 12, 2014, Respondent forged the signatures of three AFLAC insureds, a total of three times.

CONCLUSIONS OF LAW

1. The Director has jurisdiction over this matter.

2. 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).

3. 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).

4. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license and/or order restitution pursuant to A.R.S. §§ 20-295(A) and (F).


ORDER

IT IS HEREBY ORDERED THAT:

2. Respondents' resident license (Arizona license # 982382) is suspended for a period of ten (10) business days effective April 25, 2014 through May 8, 2014.

2. Respondent shall immediately pay a civil penalty of \$1,000.00 for deposit into the State General Fund.

DATED AND EFFECTIVE this 29th day of April, 2014.


GERMAINE L. MARKS
Director of Insurance

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4 **CONSENT TO ORDER**

5 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law
6 and Order.

7 2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona,
8 and admits the foregoing Findings of Fact and consents to the entry of the foregoing
9 Conclusions of Law and Order.

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

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

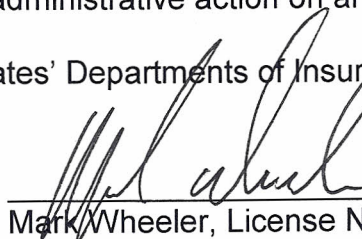
17 5. Respondent acknowledges that the acceptance of this Consent Order by the
18 Director is solely to settle this matter against him and does not preclude any other agency,
19 officer, or subdivision of this state including the Department from instituting civil or criminal
20 proceedings as may be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

21 6. Respondent acknowledges that this Consent Order is an administrative action
22 that the Department will report to the National Association of Insurance Commissioners (NAIC)
23

1 and that he may have to report this administrative action on any future licensing applications
2 either to the Department or other States' Departments of Insurance.

3 4-25-14

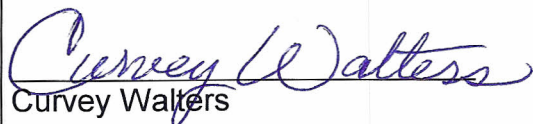
4 Date


Mark Wheeler, License No. 982382

5 COPIES of the foregoing mailed/delivered
6 this 29th day of April, 2014, to:

7 Mark Wheeler
8 5344 E. Acoma Dr.
9 Scottsdale, AZ 85254
10 Respondent

11 Mary Kosinski, Executive Assistant for Regulatory Affairs
12 Darren T. Ellingson, Deputy Director
13 Maria Ailor, Acting Consumer Affairs Assistant Director
14 Catherine M. O'Neil, Consumer Legal Affairs Officer
15 Steve Fromholtz, Licensing Supervisor
16 Charles Gregory, Investigations Supervisor
17 Nicolas Lopez, Investigator
18 Department of Insurance
19 2910 North 44th Street, Suite 210
20 Phoenix, Arizona 85018

21 
22 Curvey Walters
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