STATE OF ARIZONA FILED

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STATE OF ARIZONA

DEPARTMENT OF INSURANCE

DEPT OF	INSURANCE
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In the Matter of:

DOHERTY, BRIAN GERARD,

No. 15A-008-INS

ORDER DENYING REQUEST FOR REHEARING

Petitioner.

FINDINGS OF FACT

- On February 12, 2015, the Department of Insurance ("Department") filed a 1. Notice of Hearing In the Matter of Doherty, Brian Gerard, Docket No. 15A-008-INS ("Docket No. 15A-008-INS") setting a hearing for March 19, 2015.
- On May 1, 2015, the Department filed an Amended Notice of Hearing in 2. Docket No. 15A-008-INS re-setting the hearing for June 8, 2015.
- Upon Motion by Mr. Doherty ("Petitioner"), the Office of Administrative Hearings ("OAH") continued Docket No. 15A-008-INS from June 8, 2015 to August 11, 2015.
- On August 11, 2015, OAH conducted a hearing in Docket No. 15A-008-INS. 4. Petitioner failed to attend.
- On or about August 31, 2015, the Administrative Law Judge ("ALJ") issued an 5. Administrative Law Judge Decision ("ALJ's Decision"), received by the Director on September 1, 2015. (Exhibit A.)
- On September 3, 2015, the Assistant Director (acting for the Acting Director) 6. filed an Order adopting the ALJ's Decision and denying Petitioner's application for an Arizona insurance producer license. (Exhibit B without ALJ's Decision attached.)
- On September 14, 2015, Petitioner timely filed a request with the Department 7. for a rehearing pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09. (Exhibit C.)

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1	8. On September 24, 2015, the Department filed the Department's Response to	
2	Request for Rehearing. (Exhibit D.)	
3	CONCLUSIONS OF LAW	
4	1. Petitioner's request does not establish grounds for a rehearing under A.A.C.	
5	R20-6-114(B)(6).	
6	<u>ORDER</u>	
	IT IS ORDERED:	
7	1. Petitioner's request is denied.	
8	DATED this 29th day of September, 2015.	
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10	prome h fint	
11	Yonne R. Hunter, Assistant Director for Darren T. Ellingson, Acting Director	
12	Arizona Department of Insurance	
13		
14		
15	COPY with exhibits of the foregoing delivered electronically this <u>30th</u> day of <u>September</u> , 2015, to:	
16	ALJ Tammy Eigenheer	
17		
18	COPY with exhibits mailed same date by Regular Mail	
19	and Certified Mail, Return Receipt Requested, to:	
20	Brian G. Doherty 40703 N. Harbour Town Court	
21	Anthem, Arizona 85086-1828 Petitioner	
22	COPY of the foregoing delivered same date (without exhibits) to:	
23	Mary Kosinski, Executive Assistant for Regulatory Affairs	
24	Steven Fromholtz, Licensing Supervisor	
25	Arizona Department of Insurance 2910 North 44th Street, Suite 210	
26	Phoenix, Arizona 85018	

COPY sent same date via electronic mail (without exhibits) to:

Liane Kido

Assistant Attorney General

Consumer@azag.gov

Attorney for the Department of Insurance

Scherren



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