

JAN 07 2020

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY AS 01/07/2020

In the Matter of:

No. 19A- 182 -INS

LOVELL, GARY WADE

CONSENT ORDER

(National Producer No. 829740)

Respondent.

The Arizona Department of Insurance ("Department") has received evidence that Gary Wade Lovell ("Lovell" or "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 Finding of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Lovell is, and was at all material times, licensed as an Arizona non-resident insurance producer with lines of authority in life and accident and health or sickness, National Producer Number 829740. The Department issued the license to Lovell on December 18, 2015, which was last renewed on March 1, 2019 and it is scheduled to expire on February 28, 2023. Lovell's home state is Tennessee.

2. Lovell's addresses of record with the Department are: AFLAC, 1932 Wynnton Road, Suite 107, Columbus, Georgia 31999-0001 (business); P.O. Box 682146, Franklin, Tennessee, 37068-2146 (mailing). Lovell's business e-mail address of record with the Department is gary_lovell@us.aflac.com.

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1 **Failure to Report**

2 3. On or about August 16, 2019, The Indiana Commissioner of Insurance
3 (“Indiana”) suspended Lovell’s Indiana non-resident producer’s license for failing to provide
4 his list of appointments within ten days. Indiana subsequently sent notification of this action
5 to the National Association of Insurance Commissioners (NAIC).

6 4. Lovell failed to notify the Director within thirty days of this administrative
7 action.

8 **CONCLUSIONS OF LAW**

9 1. The Director has jurisdiction over this matter.

10 2. Respondent’s conduct, as described above, constitutes a violation of Title 20 or
11 any rule, subpoena or order of the Director, within the meaning of A.R.S. § 20-295(A)(2).

12 3. Respondent’s conduct, as described above, constitutes failure to notify the
13 director within thirty days after the final disposition of the matter of any administrative
14 action taken against the producer in another jurisdiction, in violation of A.R.S. § 20-301(A).

15 4. Grounds exist for the Director to suspend for not more than twelve months or
16 revoke Respondent’s insurance producer license, pursuant to A.R.S. § 20-295(A).

17 5. Grounds exist, in addition to or instead of any suspension or revocation, for the
18 Director to impose a civil penalty of not more than \$250 dollars for each unintentional
19 failure or violation, up to an aggregate civil penalty of \$2500, or impose a civil penalty of
20 not more than \$2500 for each intentional failure or violation, up to an aggregate civil penalty
21 of \$15,000, within the meaning of A.R.S. § 20-295(F).

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ORDER

IT IS HEREBY ORDERED THAT:

Gary Wade Lovell, National Producer Number 829740, shall immediately pay a civil fine of \$250 for deposit into the state general fund.

Effective this 6th day of January, 2020.



Keith A. Schraad
Director of the Arizona Department of Insurance

CONSENT TO ORDER

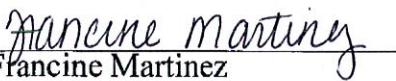
1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
2. Respondent admits to the jurisdiction of the Director of the Arizona Department of Insurance and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
3. Respondent is aware of his right to notice and to a hearing, at which he may be represented by counsel, present evidence and examine witnesses.
4. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.
5. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.

1 **COPY** delivered same date to:

2 Mary Kosinski, Regulatory Legal Affairs Officer
Ana Starcevic, Paralegal Project Specialist
3 Catherine M. O'Neil, Consumer Legal Affairs Office
Steven Fromholtz, Assistant Director, Consumer Protection Division
4 Aqueelah Currie, Licensing Supervisor
Jeff Eavenson, Investigator
5 Sharyn Kerr, Consumer Protection Division
Arizona Department of Insurance
6 100 North 15th Avenue, Suite 102
Phoenix, Arizona 85007

7 **COPY** delivered electronically, same date to:

8 Gary Wade Lovell
9 gary_lovell@us.aflac.com
glovell@minspring.com
10 Respondent

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12 
Francine Martinez

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