

AUG 9 1996

STATE OF ARIZONA

DEPARTMENT OF INSURANCE DEPT. OF INSURANCE  
BY RHL

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

In the matter of:	)	Docket No. 96A-091
	)	
Lawrence William Cross, III,	)	<b>CONSENT ORDER</b>
License No. 27070	)	
	)	
Respondent.	)	
_____	)	

Respondent and the Arizona Department of Insurance (Department) mutually desire the termination of Respondent's surplus lines broker license. In order to settle this matter without the commencement of formal proceedings, Mr. Cross waives the issuance of a notice of hearing, and admits the following Findings of Fact and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. The Director is charged with the enforcement of Title 20, Arizona Revised Statutes, relating to insurance.
  2. Mr. Cross is presently and was at all material times licensed as a surplus line broker in Arizona (License No. 27070).
  3. On or before February 27, 1991, Mr. Cross had the obligation to file with the Director and while licensed to maintain a bond in favor of this state in the sum of twenty thousand dollars, with an authorized corporate surety approved by the Director, pursuant to A.R.S. § 20-411.
  4. On or about May 5, 1995, the Director received notice from CNA Insurance Companies that the bond filed by
- .....

1 Mr. Cross in favor of the State would be cancelled as of June 5,  
2 1995.

3 5. Mr. Cross has notified the Director of his desire  
4 to voluntarily surrender the Surplus Line Broker license issued  
5 in his name.

6 6. Mr. Cross may have outstanding tax liabilities or  
7 other obligations for which the bond may have been answerable.

8 CONCLUSIONS OF LAW

9 1. The Director has jurisdiction over this matter.

10 2. Pursuant to A.R.S. § 20-314, the Director may  
11 terminate a license issued pursuant to Title 20, Chapter 2,  
12 Article 3.

13 ORDER

14 NOW, THEREFORE, IT IS ORDERED:

15 1. Effective this date, the Director terminates the  
16 surplus line broker license issued in the name of Mr. Cross and  
17 the authority contained therewith, said termination being  
18 voluntary in nature and not of a punitive nature.

19 2. Pursuant to A.R.S. § 20-415, Mr. Cross shall file  
20 his 1995 and 1996 Arizona Surplus Line Broker Annual Statements  
21 and Premium Tax Reports with the Director on or before July 5,  
22 1996.

23 3. Pursuant to A.R.S. § 20-416, Mr. Cross shall pay  
24 any surplus line premium taxes that are due on or before July 5,  
25 1996.

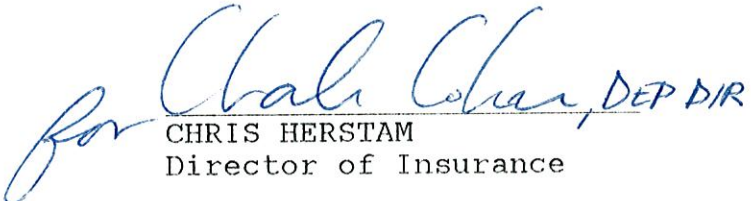
26 . . . . .

27 . . . . .

28 . . . . .

1                   4. Mr. Cross shall transmit the current license  
2 certificate, Number 27070, for modification so as to reflect  
3 only the remaining authorities thereunder.

4                   DATED this <sup>9<sup>th</sup></sup> day of <sup>August</sup> ~~June~~, 1996.

5  
6  
7                   for  <sup>DEP DIR</sup>  
8                   CHRIS HERSTAM  
9                   Director of Insurance

10                   CONSENT TO ORDER

11                   1. Mr. Cross has read the foregoing Findings of  
12 Fact, Conclusions of Law and Order.

13                   2. Mr. Cross is aware of his right to notice and a  
14 hearing concerning any allegations against him at which Mr.  
15 Cross may be represented by counsel, present evidence and  
16 cross-examine witnesses. Mr. Cross hereby irrevocably  
17 waives his right to this notice and hearing and the right to  
18 appeal this Consent Order.

19                   3. Mr. Cross admits the jurisdiction of the  
20 Director of Insurance, State of Arizona, admits the above  
21 Findings of Fact and consents to the entry of the above  
22 Conclusions of Law and Mr. Cross waives all rights to  
23 challenge such Findings of Fact, Conclusions of Law and  
24 Order on appeal or otherwise, and agrees to be bound by this  
25 Consent Order.

26                   4. Mr. Cross states that no promise of any kind or  
27 nature whatsoever, other than as set forth in this Consent  
28 Order, was made to induce him to enter into this Consent

1 Order and that he has entered into this Consent Order  
2 voluntarily.

3 5. Mr. Cross acknowledges that the acceptance of  
4 this Order by the Director of Insurance, State of Arizona,  
5 is solely to settle this matter against Mr. Cross and does  
6 not preclude the Director or any other agency or officer of  
7 this State, or subdivision thereof from instituting any  
8 civil or criminal proceedings as may be appropriate now or  
9 in the future.

10  
11 Date: 8/1/96 Lawrence W. Cross III  
12 Lawrence W. Cross, III

13 COPY of the foregoing mailed/delivered  
14 this 9<sup>th</sup> day of August, 1996, to:

15 Charles Cohen, Deputy Director  
16 John Gagne, Assistant Director  
17 Scott Greenberg, Business Administrator  
18 Catherine O'Neil, Assistant Director  
19 Gary Torticill, Assistant Director  
20 Barbara Lewis, Compliance Section Manager  
21 Maureen Catalioto, Licensing Section Supervisor  
22 Brian Stephan, Revenue Auditor  
23 Arizona Department of Insurance  
24 2910 North 44th Street, Suite 210  
25 Phoenix, AZ 85018-7256

26 Mr. Lawrence William Cross, III  
27 5805 North 46th Place  
28 Phoenix, Arizona 85016

John Rohwer, Manager  
The Surplus Line Association of Arizona  
4041 N. Central Avenue, Suite 515  
Phoenix, AZ 85012

for Kathy Linder  
Curvey Burton Walters