

1 on behalf of the Insurance Division. The record was again closed on February 11, 1999.

2 Having reviewed and considered the entire record in this matter, the Administrator of the
3 Insurance Division, on behalf of the Director, now issues this Final Order.

4 In her exceptions, Purdie addresses the same criteria as set out in the Proposed Order but offers
5 neither additional relevant evidence (which would be inappropriate in filed exceptions) nor further
6 response regarding the legal sufficiency of the Hearings Officer's findings.

7 Evidence of Good Moral Character

8 At hearing, Purdie offered the testimony of only two witnesses, James Perucca ("Perucca") and
9 Roger Bisnett ("Bisnett"), to establish her reformed, good moral character. The Hearings Officer
10 correctly found that neither witness was compelling on this point. Perucca's dealings with Purdie were
11 based upon a purely business decision to loan her money. His comments did not address the current
12 situation. Bisnett, as Purdie's employer, had a vested interest in Purdie's reinstatement.

13 In her exceptions, Purdie merely offers that throughout the past year several people offered to
14 write letters of recommendation on her behalf. She apparently never availed herself of those offers, if
15 in fact they were ever made, and presented no such letters at the hearing. This can hardly serve as an
16 adequate basis for reversing the finding upon the issue of reformed, good moral character.

17 The exceptions are without merit and are denied.

18 Participation in Activities for the Public Good

19 With regard to her participation in activities for the public good, Purdie continues to point out
20 that she is no longer involved in the Soroptimist International Organization. In her exceptions, she
21 states she was no longer involved because of "burn out," although in her previous testimony she stated
22 that she no longer felt welcome in the organization. At hearing, Purdie offered no other evidence of
23 other community involvement. The Hearings Officer's finding on this basis is reasonable and
24 supported by the evidence.

1 The exceptions are without merit and are denied.

2 Remorsefulness

3 Finally, as to the issue of her remorsefulness, Purdie continues to lay blame at the feet of
4 everyone but herself. In her exceptions, Purdie finds fault with her former employees who reported her
5 wrongdoing. According to Purdie, they worked “covertly and in collusion with the Insurance Division.”
6 This is an odd assertion to be made against people who assisted a government agency in discovering
7 wrongdoing.

8 Purdie extends her complaints to Michele Lowe, the division’s former Chief Investigator, who
9 investigated the case. She claims that Ms. Lowe encouraged her employees to “steal” Purdie’s
10 documents. She also claims that Ms. Lowe “allowed” one former employee, Donna Nelson, to “paint a
11 character profile * * * which is untrue and grossly unfair.” Finally, Purdie asserts that Ms. Lowe
12 “allowed months to go by between contacts with me and at no time did she advise me to retain an
13 attorney or that I would lose my business or that I would never be allowed to work in the business that
14 is my life.” Purdie’s assertions against Ms. Lowe border on the absurd. Ms. Lowe hardly had the power
15 to control the actions of third persons, nor was she responsible for advising Purdie regarding actions
16 she should take in her own defense.

17 Finally, Purdie singles out her prior attorney for criticism. According to her letter, her attorney,
18 Van White III, “did not know me and was not familiar with my character or life’s work.” She states
19 that the reason she did not request a hearing upon the proposed revocation was her attorney advised
20 against doing so.

21 Purdie’s attempt to cast aspersions on others militates against her claimed remorsefulness. Her
22 statement that, “I was dishonest, untrustworthy, incompetent and guilty of many wrongdoings” but now
23 “I am honest, trustworthy and competent” rings hollow in light of the claims that others are really at the
24 heart of the problem. The Hearings Officer correctly found that Purdie has not been forthright in

1 acknowledging her earlier wrongdoing.

2 The exceptions are without merit and are denied.

3 For the reasons set forth above, the Proposed Order is hereby adopted as the Final Order of the
4 Director.

5 **ORDER**

6 The Notice of Proposed Action dated May 21, 1998 refusing to issue an Oregon resident
7 insurance agent license to Barbara L. Purdie pursuant to ORS 744.013(1)(b) and 744.013(2)(L) is
8 affirmed.

9 IT IS SO ORDERED.

10 Dated this _____ day of February, 1999 at Salem, Oregon.

11 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES

12 _____
13 Nancy Ellison
14 Deputy Insurance Commissioner
15 Division Administrator

16 **NOTICE OF OPPORTUNITY FOR REVIEW**

17 NOTICE: You are entitled to judicial review of this order. Judicial review may be obtained by
18 filing a petition for judicial review with the Court of Appeals within 60 days from the date of service of
19 this order. Judicial review is pursuant to the Oregon Administrative Procedures Act, ORS chapter 183.
20 In order to expedite review, a copy of any petition for judicial review should be mailed to:

21 Department of Consumer and Business Services
22 Insurance Division Hearings Unit
23 350 Winter Street NE, #440-6
24 Salem, OR 97310