

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Patrick N. Wedeking**.) **STIPULATION** and
) **FINAL ORDER**
) Case No. INS 04-06-015

STIPULATION

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Pat N. Wedeking (Wedeking).

Wedeking enters into this stipulation, pursuant to ORS 183.415(5), to conclude this proceeding without further administrative or judicial proceedings.

Wedeking waives the right to receive a notice of proposed action, receive a notice of the rights of a party and procedures in contested cases, have a hearing, be represented by an attorney at the hearing, receive a proposed order, file exceptions to the proposed order, and have the final order judicially reviewed.

Wedeking stipulates to the following facts, conclusions, and action; and consents to the issuance of a final order incorporating this stipulation.

Facts and Conclusions

Licensing Information

Wedeking has been licensed in Oregon as a nonresident insurance agent from 7/20/94 to 7/31/97 and from 9/18/97 to 7/31/99 and since 9/20/99. Wedeking's current license number is 129440. Wedeking's last recorded residence address is located in Snoqualmie, Washington Wedeking's last recorded business address is located in Bellevue Washington.

Failed to Report Enforcement Action by Other State Insurance Regulator

Wedeking violated ORS 744.089(1) in one instance by engaging in the following conduct. ORS 744.089(1) requires a person licensed in Oregon as an insurance agent to notify the Insurance Division of any enforcement action taken against the person by another state insurance regulator, and provide a copy of the order, within 30 days

of the final disposition of the action. On 3/26/04, the insurance regulator for the State of Alabama issued an order, number P-2004-226JD, placing Wedeking's Alabama non-resident insurance agent license on probation for one year and assessing Wedeking a civil penalty of \$250. The insurance regulator took the action because Wedeking failed to disclose on his 2003 Alabama nonresident insurance producer license renewal form that on or about 12/26/01 he had been convicted of negligent driving, a misdemeanor, in Washington. The Alabama action was finally disposed of on 3/26/04. Thus, Wedeking was required to notify the Insurance Division of the action, and provide a copy of the order, by 4/26/04. On 6/2/04, 37 days late, the Insurance Division received from Wedeking a letter dated 5/25/04 notifying the Insurance Division of the action but not providing a copy of the order.

Action

Pursuant to ORS 731.988, Wedeking is assessed a civil penalty of \$200. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Room 440 (4th Floor), Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment is due on, and shall be received by the Insurance Division by, the date of the final order.

Dated July 14, 2004

/s/ Pat N. Wedeking
Pat N. Wedeking

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated July 28, 2004

/s/ Joel Ario
Joel Ario
Administrator
Insurance Division
Department of Consumer and Business Services