

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **Eddie Kam-chung Yen** ) **FINAL ORDER**  
 ) Case No. INS 04-02-019

**History of the Proceeding**

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 Eddie Kam-chung Yen (Yen).

On 3/12/04, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and that the party was entitled to a hearing, pursuant to ORS 183.415 and Oregon Administrative Rules (OAR) 137-003-0001.

On 3/30/04, the director timely received from the party a written request for a hearing.

On 4/1/04, the director referred the party's request for a hearing to the Office of Administrative Hearings (OAH).

On 4/23/04, OAH scheduled the hearing to be held on 7/22/04.

On 6/24/04, OAH rescheduled the hearing to be held on 9/2/04.

On 8/2/04, the director requested the party produce certain documents by 8/20/04.

On 8/9/04, not having received the requested documents, the director again requested the party produce certain documents by 8/20/04.

On 8/26/04, not having received the requested documents, the director requested OAH expeditiously issue an order requiring the party to produce the requested documents by 8/30/04, since the hearing was scheduled to be held on 9/2/04.

On 8/27/04, OAH issued an order requiring the party to produce the requested documents by 8/30/04.

On 9/15/04, OAH rescheduled the hearing to be held on 12/10/04.

On 1/4/05, OAH rescheduled the hearing to be held on 3/4/05.

On 3/4/05, OAH held a hearing. The hearing was conducted by Alison Greene Webster, an administrative law judge of OAH. The director, by and through the Insurance Division, appeared and was represented at the hearing by Kyle J. Martin, an Assistant Attorney General. The Insurance Division called Lisa Sharteer, Doug Horst, Joshua LaRoche, Carl Schellenger, Aretina Trepczyk, Mitchel Curzon and Ruth Johnson as witnesses. The Insurance Division offered Exhibits A1 to A41 as documentary evidence. All of the Insurance Division's exhibits were admitted into the record. The party appeared and was represented at the hearing by Anthony W. Furniss, an attorney. The party called Eddie Kam-chung Yen as a witness. The party offered Exhibits R1 to R7 as documentary evidence. The party's exhibits R1, R6 and R7 were admitted into the record.

On 4/8/05, OAH issued a proposed order pursuant to ORS 183.460, and OAR 137 -003-0645 and 137-003-0650. The proposed order found that the party committed all of the violations that were alleged in the notice of proposed action, and recommended that the director take the action proposed in the notice. The proposed order informed the party that they could file with the director written exceptions to the proposed order within 30 days after the proposed order was sent to the party.

The director did not receive from the party any exceptions to the proposed order.

The director now makes the following final decision in this proceeding.

### **Findings of Fact, Conclusions of Law and Opinion**

The director adopts, and incorporates herein by this reference, the findings of fact, conclusions of law, and opinion of proposed order as the facts, conclusions, and reasoning of this final order.

### **Order**

Pursuant to ORS 744.013(2)(1999) and 744.074(1), Yen's Oregon resident individual insurance producer license is revoked on the date of this order.

**Notice of Right to Judicial Review**

The party may be entitled to have the final order reviewed by the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. A party may institute a proceeding for judicial review by filing with the court a petition for judicial review within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was mailed to the party, not the day the party received the order. If a party files a petition, the party is requested to also send a copy of the petition to the Insurance Division.

Dated July 5, 2005

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

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