

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

In the Matter of **Sean W. Case**

) **FINAL ORDER**  
) Case No. INS 04-12-001

**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 Sean W. Case (Case).

On 12/27/04, the director notified the party that the director proposed to take enforcement action against the party and that they were entitled to a hearing pursuant to ORS 183.415.

The director did not receive a request for a hearing, and did not hold a hearing because the director determined that the record of the proceeding proved a *prima facie* case and no further evidence was needed.

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

**Findings of Fact and Conclusions of Law**

Licensing Information

Case has been licensed in Oregon as a nonresident insurance agent since 3/28/03. Case's last recorded residence address is located in Carlsbad, California, and business address is located in Poway, California.

Failed to Respond to Director's Inquiry

Case violated ORS 731.296 in one instance by engaging in the following conduct. ORS 731.296 requires a person licensed in Oregon as an insurance agent to promptly and truthfully respond to inquiries from the director. On 10/29/04, the Insurance Division mailed by certified mail a letter to Case at his last recorded residence address of 2854 Rancho Rio Chico, Carlsbad, CA 92009-3004. The letter requested Case to provide certain information to the Insurance Division by 11/29/04. On 11/22/04, the letter was returned unclaimed. The Insurance Division has not received any response from Case.

**Order**

Pursuant to ORS 744.074(1), Case's Oregon nonresident insurance agent 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 February 23, 2005

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

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