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3 STATE OF OREGON
4 DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
5 DIVISION OF FINANCIAL REGULATION

6 In the Matter of:

Case No. INS-16-0086

7 DAVID CASPER,

Applicant.

ORDER TO DESIST, FINAL ORDER
TO ISSUE LICENSE, FINAL ORDER
ASSESSING CIVIL PENALTY AND
CONSENT TO ENTRY OF ORDER

9 The Director of the Department of Consumer and Business Services for the State
10 of Oregon (“Director”), acting in accordance with the Oregon Revised Statutes (“ORS”)
11 chapters 731, 732, 733, 734, 735, 737, 742, 743, 743A, 744, 746, 748 and 750
12 (“Insurance Code”) and specifically ORS 744.074, has conducted an investigation into
13 the Non-Resident Insurance Producer License application of David Casper (“Applicant”).

14 Applicant wishes to resolve and settle this matter with the Director.

15 Now, therefore, as evidenced by the signature(s) subscribed on this Order,
16 Applicant hereby CONSENTS to entry of this Order.

17 FINDINGS OF FACT

18 The Director FINDS that:

- 19 1. Applicant has applied for a Non-Resident Insurance Producer License
20 (“License”).
- 21 2. As part of the application process, Applicant completed and submitted to the
22 Division of Financial Regulation (“Division”), formerly the Insurance Division, an
23 application form indicating that they had never been convicted of a felony or
24 misdemeanor.
- 25 3. During review of the application, the Division learned that Applicant was
26 convicted of a misdemeanor in Solano Superior Court, in Fairfield, California, in 1977.

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1 4. After the application was filed, and the prior criminal conviction was
2 discovered, Applicant admitted to being the subject of that conviction.

3 CONCLUSIONS OF LAW

4 The Director CONCLUDES that:

5 5. Accurate information about an applicant's history of criminal conviction is
6 material to the Director's decision whether to issue a License.

7 6. Applicant's representation in their application that they had not been
8 convicted of a misdemeanor or felony was incorrect, misleading, incomplete, or
9 materially untrue.

10 7. Under ORS 744.074(1)(a), the Director may refuse to issue an insurance
11 producer license and may take other actions authorized by the Insurance Code in lieu
12 thereof or in addition thereto, if an applicant provides incorrect, misleading, incomplete
13 or materially untrue information in the license application.

14 8. Under ORS 731.988(1) the Director may impose a civil penalty of up to
15 \$1,000 per violation upon any individual who violates a provision of the Insurance Code.

16 ORDERS

17 Now therefore, the Director issues the following Orders:

18 9. As authorized by ORS 731.252(1), the Director ORDERS Applicant to
19 DESIST from violating ORS 744.074(1)(a).

20 10. Based upon the foregoing and in accordance with ORS 731.988(1), the
21 Director ORDERS that a Non-Resident Insurance Producer License be issued to
22 Applicant, subject to a CIVIL PENALTY of \$500 for providing incorrect, misleading,
23 incomplete, or materially untrue information in a license application.

24 11. The CIVIL PENALTY assessed herein is due and payable at the time this
25 Order is returned to the Division.

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SO ORDERED this 8th day of April, 2016.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ David Tatman
David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER

I, David Casper, state that I have read the foregoing Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been advised of my right to a hearing, and that I have been advised of my right to be represented by counsel in this matter; that I voluntarily consent to the entry of this Order without any force or duress, expressly waiving any right to a hearing in this matter, as well as any rights to administrative or judicial review of this order; that I understand that the Director reserves the right to take further actions against me to enforce this Order or to take appropriate action upon discovery of other violations of the Insurance Code by me; and that I will fully comply with the terms and conditions stated herein.

I understand that this Order is a public document.

/s/ David Casper

Signature

State of Minnesota

County of Washington

Signed or attested before me on this 25 day of March, 2016

by Debbie Blattner

/s/ Debbie A Blattner

Notary Public

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