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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-16-0117

7 FREEZE A. MCCARTER,

Applicant.

8 FINAL ORDER TO CEASE AND
9 DESIST AND ORDER DENYING
10 APPLICATION, ENTERED BY
11 DEFAULT

12 On March 15, 2016, the Director of the Department of Consumer and Business
13 Services (“Director”), by and through the Division of Financial Regulation (“Division”),
14 properly served Notice on Freeze McCarter (“Applicant”) that the Director intended to
15 refuse to issue Applicant’s Non-resident Insurance Producer License.

16 The Notice offered Applicant an opportunity for a hearing, if requested within 60
17 days. The Notice further informed Applicant that if a hearing was not conducted because
18 Applicant did not timely request a hearing or otherwise defaulted, then the designated
19 portion of the Director’s file and all materials submitted by Applicant in this case would
20 automatically become part of the contested case record for the purpose of proving a
21 *prima facie* case.

22 The Director did not receive from Applicant a request for a hearing and did not
23 conduct a hearing.

24 The Director finds that the record of this proceeding proves a *prima facie* case.

25 The Director makes the following Findings of Fact, Conclusions of Law, Orders,
26 and Notice of Right to Judicial Appeal.

FINDINGS OF FACT

The Director FINDS that:

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 ORDER

2 Now therefore, the Director issues the following Orders:

3 9. As authorized by ORS 731.252(1), the Director ORDERS Applicant to
4 CEASE AND DESIST from violating any provision of the Insurance Code or the
5 administrative rules promulgated thereunder.

6 10. The Director, pursuant to ORS 744.074(1)(a), hereby DENIES Applicant's
7 application for a Non-Resident Insurance Producer License.

8
9 SO ORDERED this 20th day of May, 2016 in Salem,
10 Oregon.

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

13
14 /s/ David Tatman
15 David C. Tatman, Chief of Enforcement
16 Division of Financial Regulation

17 NOTICE OF RIGHT TO JUDICIAL APPEAL

18 You are entitled to judicial review of this order in accordance with ORS 183.482.
19 You may request judicial review by filing a petition with the Court of Appeals in Salem,
20 Oregon, within 60 days from the date this order is served.

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