STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION

In the Matter of **Dave H. Trinh**	)	**FINAL ORDER**
	)	Case No. INS 05-05-005

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 Dave H. Trinh (Trinh).

On 5/20/05, 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 6/09/05, the director timely received from the party a written request for a hearing.

On 6/13/05, the director referred the party's request for a hearing to the Office of Administrative Hearings (OAH).

On 6/17/05, OAH scheduled a hearing to be held on 8/5/05.

On 6/22/05, the director issued an amended notice of proposed action.

On 6/23/05, the director filed a motion for a ruling on the legal issues in the case in favor of the director, pursuant to OAR 137-003-0580.

On 6/24/05, the party requested the hearing be rescheduled.

On 6/30/05, OAH rescheduled the hearing to be held on 8/12/05.

On 7/22/05, the party requested the hearing be rescheduled again, but did not respond to the director's motion.

On 7/26/05, the director objected to the party's request to reschedule the hearing.

On 7/27/05, OAH issued a proposed order. The proposed granted the director's motion. The proposed order found that the party committed all of the violations alleged, and recommended that the director take the action proposed, in the

amended notice of proposed action. 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.

On 8/1/05, the director requested the hearing be indefinitely postponed.

On 8/1/05, OAH indefinitely postponed the hearing.

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 and Conclusions of Law

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

Order

Pursuant to ORS 744.074(1), Trinh's Oregon resident 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 September 6, 2005

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