

ORDER REVOKING LICENSE

No. 10 - 0053

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The Licensee converted a total amount of \$46,494 from the funds deposited by the VA into his mother's account to his own personal use. The Licensee repaid the VA \$50,444 prior to the conviction.

As a result of his conviction, the Licensee's affiliation with NYLIFE Securities, LLC was terminated, effective March 1, 2010. But prior to being terminated, he arranged for a client to whom he had sold a New York Life Insurance and Annuity Corporation universal life insurance policy in 1995 to replace that policy with a John Hancock Life Insurance Company universal life policy. On the "Important Notice Regarding Replacement of Life Insurance - Washington" form given to the client as required by WAC 284-23-440, dated September 29, 2009, the Licensee falsely represented to the client that he would incur no surrender charge. The Licensee knew that there was a surrender charge in the New York Life policy for the first fifteen years, and the client thereafter paid a \$3,000 surrender charge by New York Life upon replacement of his policy.

RCW 48.17.530 provides that the Commissioner may suspend, revoke, or refuse to issue any license if the licensee has been convicted of a felony, has violated any insurance law or rule, or has used fraudulent or dishonest practices.

IT IS FURTHER ORDERED that you return your insurance producer's license certificate to the Commissioner no later than three days following entry of this Order, as required by RCW 48.17.530(4).

NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the suspension, then the suspension will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner's Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention John Hamje, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

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ENTERED AT TUMWATER, WASHINGTON, this 16th day of March, 2010.

MIKE KREIDLER
Insurance Commissioner

By

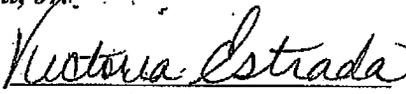

JOHN E. HAMTE
Deputy Insurance Commissioner
Consumer Protection Division

cc: Thomas Talarico, Investigator

DECLARATION OF MAILING

I certify under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery of a true copy of this document to *William S. Bennett, Jr.*

Dated: March 16, 2010
At Tumwater, Washington


Victoria Estrada

NOTICE OF YOUR RIGHT TO A HEARING

You have the right to demand a hearing to contest this Order. During this hearing, you can present your argument that the Order should not have been entered for legal and/or factual reasons and/or to explain the circumstances surrounding the activities which are the subject of this Order. You may be represented by an attorney if you wish, although in some hearings before this agency parties do choose to represent themselves without an attorney.

Your Demand for Hearing should be sent to John F. Hamje, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257, and must briefly state how you are harmed by this Order and why you disagree with it. You will then be notified both by telephone and in writing of the time and place of your hearing. If you have questions concerning filing a Demand for Hearing or the hearing process, please telephone the Hearings Unit, Office of the Insurance Commissioner, at 360/725-7002.

Your Demand for Hearing must be made within 90 days after the date of this Order, which is the date of mailing, or your Demand will be invalid and this Order will stand. If your Demand for Hearing is received before the effective date of this Order, the penalties contained in the Order will be stayed (postponed) until after your hearing.

It is important to know that if you demand a hearing, you will have two options for how it will be handled:

Option 1: Unless you specifically request Option 2, your hearing will be presided over by an administrative law judge from the Office of the Insurance Commissioner. Under this option, upon receipt of your Demand for Hearing, the Insurance Commissioner may refer the case to an administrative law judge. The administrative law judge is an individual who has not had any involvement with this case. The administrative law judge will hear and make the final decision in the case without any communication, input or review by the Insurance Commissioner or staff or any other individual who has knowledge of the case. This administrative law judge's final decision may uphold or reverse the Commissioner's action or may instead impose any penalties which are less than those contained in the Order.

Option 2: If you elect, your hearing will be presided over by an administrative law judge from the Office of Administrative Hearings. That administrative law judge will issue an initial or recommended decision which will then be sent to the Insurance Commissioner. The Insurance Commissioner, or his designee, will review the initial decision and make the final decision. The Insurance Commissioner's final decision in the case may uphold, reverse or modify the initial decision, thereby changing the penalty which is recommended in the initial decision. In writing the final decision, the Insurance Commissioner is not bound by the findings of facts or conclusions of law which were made in the initial decision.