

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT
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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)	
)	No. 13-0160
JEFFREY T. DAVIS,)	
)	ORDER TERMINATING
)	PROCEEDINGS
Licensee.)	
_____)	

TO: Jeffrey T. Davis
7023 Alston Court
Edwardsville, IL 62025

Todd W. Sivia, Esq.
Sivia Business & Legal Services, P.C.
217 S. Main Street
Edwardsville, IL 62025

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division
Kate Reynolds, Staff Attorney, Legal Affairs Division
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On May 23, 2013, the Insurance Commissioner ("OIC") issued Order Revoking License and Precluding Reissuance of License, No. 13-0160. Said Order revokes the



ORDER TERMINATING PROCEEDINGS

No. 13-0160

Page 2

Washington State nonresident insurance producer's license of Jeffrey T. Davis ("Licensee") and orders that no license will be issued to him in the future. The OIC's order is based upon the OIC's allegations that, briefly, 1) the Licensee was terminated for cause by Transamerica Life Insurance Company; 2) the Licensee intentionally misrepresented to Transamerica the nature of business submitted on behalf of certain groups in violation of RCW 48.17.530(e) and (h); 3) the Licensee submitted applications for group life insurance coverage on behalf of consumers who were not employees of the purported employer and who had been told the insurance would be free in violation of RCW 48.17.530(e) and (h); and 4) by letter dated July 17, 2012 the OIC asked the Licensee specific questions concerning the facts involved in Transamerica's termination and requested copies of pertinent documents and (although the Licensee's attorney acknowledged the OIC's inquiry) the Licensee failed to answer the OIC's questions and failed to provide the requested documents, both in violation of RCW 48.17.475. Finally, the OIC argues that pursuant to RCW 48.17.530(b), (e), and (h) the OIC is authorized to revoke the Licensee's Washington producer license for violation of insurance laws, intentionally misrepresenting the terms of insurance contracts or applications or using fraudulent or dishonest practices or demonstrating untrustworthiness in this state or elsewhere.

In response, on May 17, 2013, the Licensee, by and through his attorney, Todd W. Sivia, Esq., of Sivia Business and Legal Services, P.C. in Edwardsville, IL, filed a Demand for Hearing to contest the OIC's Order, asserting 1) that customers were solicited without the Licensee's approval or knowledge; 2) that it has been difficult to obtain the documents requested by the OIC; and 3) that he would like to give the OIC a clear understanding of the entire situation rather than provide it piecemeal, and therefore he will be prepared to present his full response and evidence at hearing.

On June 19, 2013, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by Kate Reynolds, Esq., Staff Attorney in the OIC's Legal Affairs Division. The Licensee was represented by his attorney Todd W. Sivia, Esq. of Edwardsville, Illinois. The parties agreed that the hearing of this matter should be held on October 11, 2013, and a Notice of Hearing was entered on June 27, 2013.

On October 1, 2013, the OIC forwarded to the undersigned a letter from the Licensee's attorney, Todd W. Sivia, Esq., dated September 30, 2013 indicating that the Licensee had chosen to withdraw his demand for hearing. Although no specific reason for the withdrawal was given, the letter indicates that the withdrawal is not based on an agreement of settlement between the Licensee and the OIC. The Licensee's letter dated September 30, 2013 withdrawing his request for hearing is attached hereto and by this reference made a part hereof.

ORDER TERMINATING PROCEEDINGS

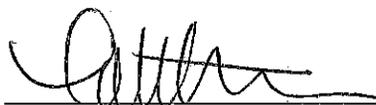
No. 13-0160

Page 3

Based upon the above activity,

IT IS HEREBY ORDERED that this proceeding, Docket No. 13-0160, is hereby dismissed with prejudice. The Order Revoking License and Precluding Reissuance of License, No. 13-0160, remains in effect.

Entered this 15th day of October, 2013, at Tumwater, Washington, pursuant to Title 48 RCW, Title 34 RCW and regulations pursuant thereto.



PATRICIA D. PETERSEN, J.D.
Chief Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Jeffrey T. Davis, Todd W. Sivia, Esq., Mike Kreidler, James T. Odiorne, John F. Hamje, AnnaLisa Gellermann, Esq. and Kate Reynolds, Esq..

DATED this 4th day of December, 2013.


KELLY A. CAIRNS



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Jack H. Humes, Jr., Of Counsel
Ashley S. Day, Attorney at Law
All Attorneys Licensed in Illinois and Missouri

Hearings Unit, DIC
Patricia L. Hansen
Chief Hearing Officer

Via Facsimile to (360) 664-2782

September 30, 2013

Kate Reynolds
Staff Attorney, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Re: Jeffrey T. Davis
No. 13-0160

Dear Ms. Reynolds:

This letter is to inform you that Mr. Davis has chosen to withdraw his request for hearing with the Commissioner at this time. No settlement has been reached with the OIC at this time.

Please do not hesitate to contact our office with any questions or concerns.

Sincerely,

Todd W. Sivia
Attorney at Law

TWS/klo