

**BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS**

**IN THE MATTER OF
DERRICK DEWAYNE ROY
LICENSE NO. 333276**

A.I.D. NO. 2009- 076

EMERGENCY SUSPENSION ORDER

On this day, the emergency matter of Derrick DeWayne Roy (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Associate Counsel, Amanda Capps Rose, in this matter. From the facts and law before the Commissioner, he finds as follows:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103. The Commissioner has the authority to issue emergency license suspensions pursuant to Ark. Code Ann. §§ 23-64-216(e) and 25-15-211(c).
2. Respondent is licensed to write property and casualty insurance and holds Arkansas Non-Resident Producer License No. 333276.
3. Respondent’s last known address is 1409 S. Lamar Street, Apartment 448, Dallas, Texas 75215.
4. The Department’s License Division has received notice from Travelers Indemnity Company, dated April 3, 3009, that the company wished to terminate all appointments with the Respondent.
5. In response to an April 17, 2009 inquiry from the Legal Division of the Department, Travelers Indemnity Company submitted correspondence, dated April 23, 2009, explaining the Respondent’s termination for cause as follows:

Mr. Roy was an employee agent who took calls from potential customers all over the United States. On many occasions, Travelers monitored phone calls where

Mr. Roy either heard or received important underwriting information about the potential customer which he did not relay to the underwriter. The inadequate or incomplete information he did not relay included auto convictions and incidents and may have impacted the pricing of the risk.

6. The Legal Division of the Department wrote to the Respondent on April 17, 2009 requesting his explanation of the allegations of Travelers Indemnity Company. Respondent failed to respond within thirty (30) days as requested in the correspondence.

7. The Legal Division of the Department again wrote to the Respondent on May 20, 2009 seeking the previously requested information within ten (10) days. The certified mail receipt shows that the Respondent received the correspondence. Respondent failed to respond.

8. A Notice of Investigative Conference, dated July 22, 2009, was mailed to the Respondent via certified mail. The Notice, which was returned undelivered, set out the failure to respond to the Department's attempt to investigate his termination for cause and stated that if he failed to appear, the Department would suspend or revoke his license.

9. Respondent failed to appear at the August 12, 2009 Investigative Conference and has failed to contact the Department in any manner with respect to his termination.

10. The public health, safety, and welfare imperatively require emergency action.

CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

11. Pursuant to Ark. Code Ann. § 23-64-512(a)(13), (16), and (17), the Commissioner may revoke an insurance producer's license for any one (1) or more of the following reasons:

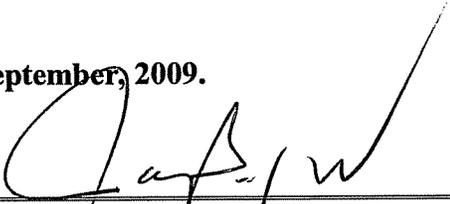
- (a) Failing to provide a written response after a written inquiry from the Department within thirty (30) days of receipt;
- (b) Refusing to be examined; and
- (c) Failing to cooperate with an investigation.

12. Respondent's failure to respond to written inquiries and failure to appear at the Investigative Conference are sufficient grounds to revoke his license pursuant to Ark. Code Ann. § 23-64-512(a).

13. For the public health, safety, and welfare of the people of this State, the Commissioner concludes that the Respondent's Arkansas Non-Resident Producer License No. 333276 should be and hereby is immediately suspended pending an administrative hearing.

14. An administrative hearing has been scheduled for November 12, 2009 at 10 a.m. pursuant to Ark. Code Ann. § 23-64-216(e), and notice of the same will be provided to the Respondent simultaneously with this Order.

IT IS SO ORDERED THIS 29th day of September, 2009.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS