

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

RECEIVED
INSURANCE DEPARTMENT
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ADMINISTRATIVE OFFICE

In Re: : Violations:
: :
Daniel J. Reisinger : Section 611-A(8), (14), and (20) of the
1416 Flint Hill Road : Insurance Department Act of 1921 (40 P.S.)
Landenberg, PA 19350 : §310.11(8), (14), (20))
: :
Respondent : :
: :
: Docket No: CO05-10-027
:

CONSENT ORDER

AND NOW, this **7th** day of **DECEMBER**, 2005, this Order is hereby issued by the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania pursuant to the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that he has received proper notice of his right to a formal administrative hearing pursuant to the Administrative Agency Law, 2 Pa.S. §101, et seq., or other applicable law.

2. Respondent hereby waives all rights to a formal administrative hearing in this matter, and agrees that this Consent Order, and the Findings of Fact and Conclusions of Law contained herein, shall have the full force and effect of an Order duly entered in accordance with the adjudicatory procedures set forth in the Administrative Agency Law, supra, or other applicable law.

FINDINGS OF FACT

3. The Deputy Insurance Commissioner finds true and correct each of the following Findings of Fact:

(a) Respondent is Daniel J. Reisinger and maintains his address at 1416 Flint Hill Road, Landenberg, Pennsylvania 19350.

(b) At all relevant times herein, Respondent has been a licensed insurance producer in Pennsylvania with a Resident Individual Producer License #323371 that expires on February 27, 2006.

(c) On or about July 23, 2002, in the Court of Common Pleas of Chester County, Pennsylvania, Respondent pleaded guilty and was convicted of: one count of Criminal Attempt, Involuntary Deviate Sexual Intercourse, a first degree felony, in violation of 18 Pa. C.S. §3123(a)(7); one count of Indecent Assault, a second degree misdemeanor,

in violation of 18 Pa. C.S. §3126(a)(8); and one count of Corruption of Minors, a first degree misdemeanor, in violation of 18 Pa. C.S. §6301(a)(1).

(d) On November 12, 2002, Respondent was sentenced to a period of incarceration of two to five years.

(e) Respondent was released from incarceration in July of 2004 and is currently on probation.

(f) On September 27, 2004, as a result of his conviction, the Delaware Insurance Department issued an order revoking Respondent's insurance producer license in that state.

CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Deputy Insurance Commissioner concludes and finds the following Conclusions of Law:

(a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.

- (b) Section 611-A(8) of the Insurance Department Act of 1921 (“Act”)(40 P.S. §310.11(8)) prohibits a licensee from having an insurance producer license or other financial services license denied suspended or revoked by another governmental entity.
- (c) Respondent’s activities described above in paragraphs 3(c) through 3(f) violate Section 611-A(8) of the Act (40 P.S. §310.11(8)).
- (d) Section 611-A(14) of the Act (40 P.S. §310.11(14)) prohibits a licensee from being convicted of a felony or its equivalent.
- (e) Respondent’s activities described above in paragraphs 3(c) through 3(f) violate Section 611-A(14) of the Act (40 P.S. §310.11(14)).
- (f) Section 611-A(20) of the Act (40 P.S. §310.11(20)) prohibits a licensee from demonstrating a lack of fitness, competence or reliability sufficient to satisfy the Pennsylvania Insurance Department that the licensee is worthy of licensure.
- (g) Respondent’s activities described above in paragraphs 3(c) through 3(f) violate Section 611-A(20) of the Act (40 P.S. §310.11(20)) and render him unworthy of licensure.

(h) Respondent's violations of Section 611-A(8), (14) and (20) of the Act (40 P.S. §310.11(8), (14), (20)) are punishable by the following, under Section 691-A of the Act (40 P.S. §310.91):

- (i) suspension, revocation or refusal to issue the certificate of qualification or license;
- (ii) imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for every violation of the Act;
- (iii) issuance of a cease and desist order; and
- (iv) imposition of such other conditions as the Commissioner may deem appropriate.

ORDER

5. In accordance with the above Findings of Fact and Conclusions of Law, the Deputy Insurance Commissioner orders and Respondent consents to the following:

- (a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) Respondent shall immediately surrender all licenses/certificates to conduct the business of insurance within the Commonwealth of Pennsylvania and shall not

reapply for licensure for, at a minimum, a period of five years, which period shall run from the date of Respondent's criminal convictions referenced in paragraph 3(c), above.

- (c) If Respondent should ever become licensed in the future, his licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under (ii) above is limited to a period of five (5) years from the date of issuance of such license.

- (d) Respondent specifically waives his right to prior notice of said suspension but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.

- (e) At the hearing referred to in paragraph (d) of this Order, Respondent shall have the burden of demonstrating that he is worthy of an insurance license or certificate.

(f) In the event Respondent's certificates or licenses are suspended pursuant to paragraph 5(c) above, and Respondent either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that he is worthy of a license, Respondent's suspended license or certificate shall be revoked.

6. In the event the Deputy Insurance Commissioner finds that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provision of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, in the event the Deputy Commissioner finds that there has been a breach of any of the provisions of this Order the Deputy Commissioner may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provisions of law.

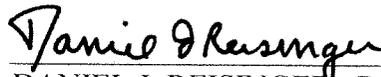
8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact or Conclusions of Law contained herein.

9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

11. This Order shall be final upon execution by the Deputy Insurance Commissioner. Only the Insurance Commissioner or the duly authorized Deputy Insurance Commissioner is authorized to bind the Insurance Department with respect to the settlement of the alleged violation of law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or the duly authorized Deputy Insurance Commissioner.

BY:



DANIEL J. REISINGER, Respondent



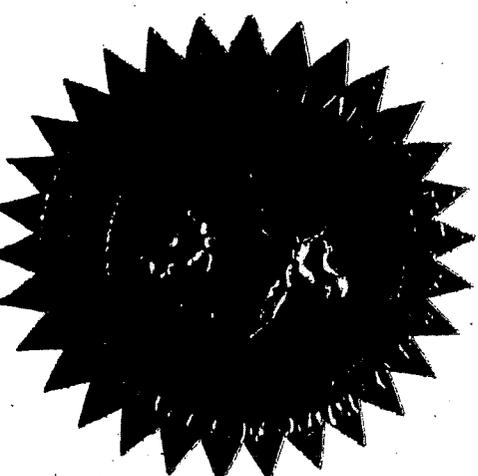
RANDOLPH L. ROHRBAUGH
Deputy Insurance Commissioner
Commonwealth of Pennsylvania

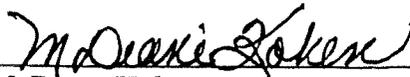
BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE: The Act of April 9, 1929, P.L. 177, No. 175, known as The
Administrative Code of 1929

AND NOW, this 29 day of April, 2002, Randolph L.

Rohrbaugh, Deputy Insurance Commissioner, is hereby designated as the
Commissioner's duly authorized representative for purposes of entering in and executing
Consent Orders. This delegation of authority shall continue in effect until otherwise
terminated by a later Order of the Insurance Commissioner.




M. Diane Koken
Insurance Commissioner