

**STATE OF MICHIGAN  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

**Before the Director of the Department of Insurance and Financial Services**

In the matter of:

**Department of Insurance and Financial Services**

**Enforcement Case No. 13-11628**

**Agency No. 13-002-L**

Petitioner,

v

**Don Russell Handley, Jr.**  
System ID No. 0450155

Respondent.

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**Issued and entered**  
on May 10, 2013  
by **Randall S. Gregg**  
**Deputy Director**

**FINAL ORDER**

**I. Background**

Don Russell Handley, Jr. (Respondent) is a licensed non-resident producer. The Department of Insurance and Financial Services (DIFS) received information that Respondent's producer licenses, or their equivalent, were revoked in four states. After investigation and verification of the information, on November 28, 2012, DIFS issued a Notice of Opportunity to Show Compliance alleging that Respondent had provided justification for revocation of licensure and other sanctions pursuant to Sections 1239(1) and 1244(1)(a-c) of the Michigan Insurance Code (Code), MCL 500.1239(1) and 500.1244(1)(a-c). Respondent failed to reply to the Notice.

On January 10, 2013, DIFS issued and served Respondent with an Administrative Complaint and Order for Hearing. The Order for Hearing required Respondent to take one of the following actions within 21 days: (1) agree to a resolution of the case, (2) file a response to the allegations with a statement that Respondent planned to attend the hearing, or (3) request an adjournment. Respondent failed to take any of these actions.

On February 25, 2013, DIFS staff filed a Motion for Final Decision. Respondent did not file a reply to the motion. Given Respondent's failure to respond, Petitioner's motion is granted. The Administrative Complaint, being unchallenged, is accepted as true. Based upon the

Administrative Complaint, the Director makes the following Findings of Fact and Conclusions of Law.

## II. Findings of Fact and Conclusions of Law

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of the Department of Insurance and Financial Services (Director).
2. At all relevant times, Respondent was a licensed insurance producer.
3. Respondent had his insurance producer license or its equivalent revoked in the following states:
  - Oklahoma – September 27, 2011
  - Kentucky – May 9, 2012
  - Virginia – January 30, 2012
  - Kansas – April 16, 2012
4. As a licensed non-resident producer, Respondent knew or had reason to know that MCL 500.1239 provides, in part:
  - (1) In addition to any other powers under this act, the commissioner may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions, and the commissioner shall refuse to issue a license under section 1205 or 1206a, for any 1 or more of the following causes:
    - \* \* \*
    - (i) Having an insurance producer license or its equivalent denied, suspended, or revoked in any other state, province, district, or territory.
5. In addition to any other powers under this act, the Director may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under Section 1244 or any combination of actions, and the Director shall refuse to issue a license under Section 1205 or 1206a, for any 1 or more of the following causes:
  - \* \* \*
  - (i) Having an insurance producer license or its equivalent denied, suspended, or revoked in any other state, province, district, or territory.
6. Respondent has committed acts that provide justification for the Commissioner to revoke his producer license.

7. DIFS Staff has made reasonable efforts to serve Respondent and has complied with MCL 500.1238.
8. Respondent has received notice and has been given an opportunity to respond and appear and has not responded or appeared.
9. Respondent is in default and the Petitioner is entitled to have all allegations accepted as true.

### III. Order

Based upon the Respondent's conduct and the applicable law cited above, it is ordered that:

1. Respondent shall cease and desist from violating the Code.
2. Respondent shall immediately cease and desist from engaging in the business of insurance.
3. Respondent's non-resident insurance producer license is **REVOKED**.

R. Kevin Clinton, Director  
For the Director:

  
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Randall S. Gregg, Deputy Director