

**STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

**Before the Commissioner of Financial and Insurance Regulation**

In the Matter of:

**MICKEY L. DAY**  
System ID No. 0367508

**Enforcement Case No. 10-11114**

Respondent.  
\_\_\_\_\_/

**CONSENT ORDER AND STIPULATION**

**I.  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Office of Financial and Insurance Regulation (“OFIR”) and Mickey L. Day (“Respondent”) stipulate the following is true and correct:

1. Respondent is a Michigan licensed non-resident insurance producer with authority and qualifications to engage in the business of insurance in the lines of accident, health, and life. System I.D. No. 0367508.
2. On or about August 10, 2010, the State of Ohio Division of Securities (the “Division”) issued a Notice of Opportunity for Hearing (“Notice”) against Day to determine the validity of allegations that Day sold DLG’s unregistered, nonexempt securities in violation of the Ohio Securities Act (“OSA”).
3. Day was notified to request a hearing to determine the validity of the allegations within 30 days from the date of the Notice. Day did not request a hearing.
4. On or about October 8, 2010, the Division issued a Cease and Desist Order against Day for the offer and sale of DLG’s unregistered, nonexempt securities. The Cease and Desist Order is a Final Order.
5. The Michigan Insurance Code (the “Insurance Code”), 1956 PA 218, as amended, MCL 500.1247, provides that an insurance producer must report and provide copies of any administrative action taken against him or her by another state or governmental agency within 30 days of the final order. Day should have informed OFIR of the administrative action taken against him on or before Monday, November 8, 2010.

6. OFIR did not receive Day's report or copies of the administrative action taken against him by the Division for violating OSA.
7. The Respondent violated Section 1247 of the Insurance Code, MCL 500.1247, when he did not report or send copies of the administrative action taken against him by the Division for violating OSA.
8. On November 24, 2010, pursuant to the Michigan Administrative Procedures Act of 1969, MCL 24.201 *et seq.*, the Respondent was given an opportunity to demonstrate compliance and to request a hearing for failing to report the administrative action. He waives his right to a hearing, and voluntarily consents to entry of this Consent Order and Stipulation as follows:

**II.  
ORDER**

Based on the above findings of fact and conclusions of law and Respondent's stipulation, it is **ORDERED** that:

1. Respondent shall cease from further violating Section 1247 of the Insurance Code.
3. Respondent shall pay to the State of Michigan a civil fine of \$500.00 (five hundred dollars and zero cents). Upon execution of this Order, OFIR will send Respondent an Invoice for the civil fine that is payable within 30 days of issuance of the Invoice.

OFFICE OF FINANCIAL AND  
INSURANCE REGULATION

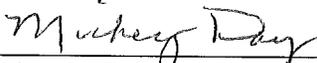
Dated: 12/27/10

  
\_\_\_\_\_  
Stephen R. Hilker  
Chief Deputy Commissioner

**III.  
STIPULATION**

I have read and understand the Consent Order above. I agree that the Commissioner has jurisdiction and authority to issue this Consent Order pursuant to the Michigan Insurance Code. I waive the right to a hearing in this matter if this Consent Order is issued. I understand that the Consent Order and Stipulation will be presented to the Commissioner for approval and the Commissioner may or may not issue this Consent Order. I waive any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved.

Dated: 12-08-2010

  
\_\_\_\_\_  
Mickey L. Day  
System I.D. No. 0367508

The Office of Financial and Insurance Regulation staff approves this stipulation and recommends that the Commissioner issue the above consent order.

Dated: 12-22-10

  
\_\_\_\_\_  
Elizabeth V. Bolden  
OFIR Enforcement Attorney

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