

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR AND ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE REGULATION  
Before the Commissioner of Financial and Insurance Regulation

Office of Financial and Insurance Regulation,  
Petitioner

v

Enforcement Case No. 09-7397

Richard Taft Johnson  
and  
Estate Planning, Inc.,  
Respondents

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For the Petitioner:

Elizabeth Bolden  
Office of Financial and Insurance Regulation  
P.O. Box 30220  
Lansing, MI 48909-7720

For the Respondents:

Richard Taft Johnson  


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Issued and entered  
this 21<sup>st</sup> day of July 2010  
by Ken Ross  
Commissioner

**FINAL DECISION**  
**I. Background**

On April 14, 2010, Chief Deputy Commissioner Stephen R. Hilker issued an Administrative Complaint, Order for Hearing, and Notice of Hearing in this case. The Administrative Complaint set forth detailed allegations that Respondent Johnson, having been convicted of a felony, is no longer qualified to be licensed as an insurance producer in Michigan. The Order for Hearing required Respondent to take one of the following actions within 21 days: agree to a resolution of the case, file an answer to the allegations stated in the Order with a statement that Respondent plans to attend the hearing, or request an adjournment. Respondent failed to take any of these actions.

On June 23, 2010, the Petitioner filed a Motion for Summary Decision. Respondents did not respond to the Motion for Final Decision.

Given Respondents' failure to take one of the actions required by the Order for Hearing and their failure to answer the Motion for Final Decision, Petitioner's motion is granted.

## II. Findings of Fact and Conclusions of Law

The following facts and conclusions of law, stated in the Administrative Complaint, are adopted and made part of this Final Decision:

1. Respondent Richard Johnson holds a Michigan resident insurance producer license. Richard Johnson is the sole owner and only licensed member of Respondent Estate Planning, Inc., a licensed Michigan insurance agency.
2. In December 2009, Respondent Johnson was convicted in United States District Court of felony mail fraud in connection with an investment scheme in which is persuaded individuals to invest in a program called American Charitable Program. Johnson did not invest his clients' money as he had promised. Instead, he kept the funds, totaling more than \$7 million, for his own personal use.
3. Section 1239(1) of the Michigan Insurance Code provides:

In addition to any other powers under this act, the commissioner may place on probation, suspend, revoke, or refuse to issue an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions for any 1 or more of the following causes:

\* \* \*

(f) Having been convicted of a felony.
4. Having been convicted of a felony, Respondent Johnson is not qualified to hold an insurance producer license. Because the operations of Estate Planning, Inc. are under the

sole control of Respondent Johnson, who is the agency's only licensed member, the agency also is not qualified to be licensed in Michigan.

### III. Order

Based on the conduct described above and in accordance with section 1239(1)(f) of the Michigan Insurance Code, the insurance licenses of Richard Johnson and Estate Planning, Inc. are revoked.

A handwritten signature in black ink, appearing to read 'K. Ross', written over a horizontal line.

Ken Ross  
Commissioner