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

Before the Commissioner of the Office of Financial & Insurance Regulation

In the Matter of:

Robert J. Guthrie

Enforcement Case No. 10-7769

System ID No. 00249870

Respondent.

Issued and entered
on 9/3/, 2010
by Stephen R. Hilker
Chief Deputy Commissioner

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CONSENT ORDER AND STIPULATION

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

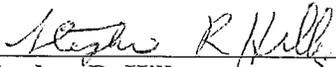
1. Respondent, a licensed resident producer authorized to conduct business on behalf of an insured in the State of Michigan under a policy of insurance, participated in alleged fraudulent real estate transactions and alleged falsification of HUD-1 forms. He was subsequently indicted on July 9, 2008, for conspiracy to commit wire fraud, conspiracy to defraud the United States, and making false statements to the Small Business Administration.
2. As a licensed insurance producer, Respondent knew or had reason to know that Section 1247(2) of the Michigan Insurance Code (Code) provides that "within 30 days after the initial pretrial hearing date, an insurance producer shall report to the commissioner any criminal prosecution of the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents." MCL 500.1247(2).
3. Respondent failed or refused to report his criminal prosecution, and failed or refused to supply any documentation regarding the prosecution, to the Commissioner.
4. Respondent knew, or had reason to know, that Section 1239(1)(f) of the Code provides that 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 for having been convicted of a felony.
5. Respondent pled guilty to one count of conspiracy to commit wire fraud, a felony.

6. Based on the conduct described above, Respondent violated Section 1239(1)(f) and Section 1247(2) of the Code.

ORDER

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

1. Respondent shall immediately cease and desist from operating in a manner that violates Sections 1239 and 1247 of the Code, MCL 500.1239 and 500.1247.
2. Respondent's license and authority are hereby **REVOKED**.



Stephen R. Hilker
Chief Deputy Commissioner

STIPULATION

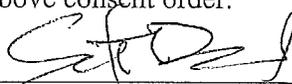
Respondent has read and understands the consent order above. Respondent agrees that the Chief Deputy Commissioner has jurisdiction and authority to issue this consent order pursuant to the Insurance Code. Respondent waives the right to a hearing in this matter if this consent order is issued. Respondent understands that this stipulation and consent order will be presented to the Chief Deputy Commissioner for approval and the Chief Deputy Commissioner may or may not issue this consent order. Respondent waives any objection to the Commissioner deciding this case following a hearing in the event the consent order is not approved. Respondent admits the findings of fact and conclusions of law set forth in the above consent order and agrees to the entry of this order. Respondent admits that both parties have complied with the procedural requirements of the Michigan Administrative Procedures Act and the Insurance Code. Respondent has had an opportunity to review the Stipulation and Consent Order and have the same reviewed by legal counsel.



Robert J. Guthrie

Dated: 7/29/10

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



Scott Basel (P68335)
Attorney

Dated: 9-3-10