

# Arkansas Insurance Department

Asa Hutchinson  
Governor



Allen Kerr  
Commissioner

October 16, 2015

Mark Kimbrough  
42 Broadmore Dr.  
Little Rock, AR 72204-4821

Mark Kimbrough  
2402 Wildwood Ave, STE 200  
Sherwood, AR 72120

Via U.S. Mail and Certified Mail Return Receipt  
Nos. 7009 1680 0002 2606 2667 & 7009 1680 0002 2606 2674

## NOTICE OF HEARING

Dear Mr. Kimbrough:

You are hereby notified that an administrative hearing has been scheduled pursuant to Ark. Code Ann. § 23-61-303 and other applicable provisions of Arkansas law, before Insurance Commissioner Allen Kerr, as Hearing Officer, or his designee, on December 1, 2015, at 9:00 a.m. in the First Floor Hearing Room, Arkansas Insurance Department ("Department"), 1200 West Third Street, Little Rock, Arkansas.

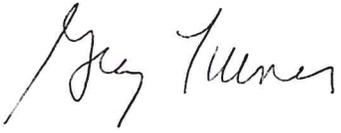
The allegations against you are:

1. Having been convicted of a felony as per Ark. Code Ann. § 23-64-512(a)(6). Specifically, on July 18, 1997, you were convicted of Bank Fraud, a violation of 18 U.S.C. § 1344 and a Class B Felony, in the Eastern District of Arkansas, case Number 4:96CR00279-001.

You have the right to represent yourself or be represented by legal counsel of your own choosing at this proceeding. Additionally, the Commissioner will obtain a competent reporter to record the hearing. You may avail yourself of other privileges, including the Department's assistance to subpoena any needed witnesses or records.

Your verbal or written notification that you have received this notice of hearing must be received in this office within ten (10) days of your receipt. If your notification is not received by the Department within ten (10) days, any and all expenses incurred by the Department in continuing the hearing or in notification of witnesses, including but not limited to, phone calls, issuance of subpoenas and postage, will be charged to the party or parties requesting such continuance. If you or your attorney determines that a continuance is necessary, or you have questions or concerns, please contact me at (501) 371-2829.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Gray Turner". The signature is written in a cursive style with a large initial "G" and a long, sweeping underline.

Gray Allen Turner  
Associate Counsel, Legal Division

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT, )  
PETITIONER )

VS. )

MARK KIMBROUGH )  
RESPONDENT, NPN#17704662 )

A.I.D. NO. 2015- 076

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EMERGENCY SUSPENSION ORDER

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On this day, the matter of Mark Kimbrough (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Gray Allen Turner, Associate Counsel, in this matter. From the facts and law before him, the Commissioner finds as follows:

FINDINGS OF FACT

1. Respondent holds an Arkansas Resident Producer License, National Producer Number 17704662. Respondent resides in Sherwood.

2. On July 18, 1997, Respondent was convicted of Bank Fraud, a violation of 18 U.S.C. § 1344 and a Class B Felony, in the Eastern District of Arkansas, case Number 4:96CR00279-001.

3. Respondent did not submit a copy of his felony conviction as part of his September 3, 2015, Arkansas producer license application.

4. Respondent does not have a U.S.C. §1033 waiver and does not have permission to work in the business of insurance.

5. Respondent has applied for non-resident producer license in several states.

6. The public health, safety, and welfare imperatively require emergency action.

### CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.

2. The Commissioner has the authority to issue an emergency license suspension pursuant to Ark. Code Ann. §§ 23-64-216(e) and 25-15-211(c).

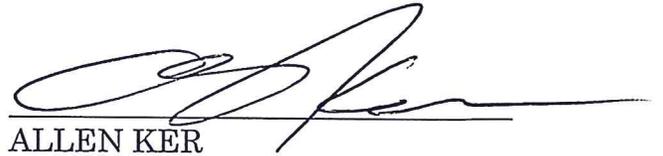
3. An administrative hearing will be held promptly, as required by Ark. Code Ann. § 23-64-216(e)(2). A Notice of Hearing is being served herewith.

5. The Commissioner and the Department reserve the right to amend the allegations, findings and conclusions set forth herein and further reserve the right to present additional allegations and evidence in any subsequent order or administrative hearing.

### IT IS THEREFORE ORDERED:

In consideration of the Commissioner's Findings of Fact and Conclusions of Law, the Respondent's Arkansas Non-Resident Producer License, National Producer Number 17704662, is hereby immediately suspended.

IT IS SO ORDERED this 14<sup>th</sup> day of October, 2015.

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

ALLEN KER  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS