

**BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS**

**IN THE MATTER OF  
DERRICK DEWAYNE ROY  
LICENSE NO. 333276**

**A.I.D. NO. 2009- 092**

**REVOCATION ORDER**

On this day, the matter of Derrick DeWayne Roy ("Respondent") came before Jay Bradford, Arkansas Insurance Commissioner ("Commissioner"). The Arkansas Insurance Department ("Department") is represented by Associate Counsel, Amanda Capps Rose, in this matter. From the facts and law before the Hearing Officer, he finds as follows:

**FINDINGS OF FACT**

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.
2. Respondent's last known address is 1409 S. Lamar Street, Apartment 448, Dallas, Texas 75215.
3. The Department's License Division received notice from Travelers Indemnity Company, dated April 3, 3009, that the company wished to terminate all appointments with the Respondent.
4. In response to an April 17, 2009 inquiry from the Legal Division of the Department, Travelers Indemnity Company submitted correspondence, dated April 23, 2009, explaining the Respondent's termination for cause as follows:

Mr. Roy was an employee agent who took calls from potential customers all over the United States. On many occasions, Travelers monitored phone calls where Mr. Roy either heard or received important underwriting information about the potential customer which he did not relay to the underwriter. The inadequate or incomplete information he did not relay included auto convictions and incidents and may have impacted the pricing of the risk.

5. The Legal Division of the Department wrote to the Respondent on April 17, 2009 requesting his explanation of the allegations of Travelers Indemnity Company. Respondent failed to respond within thirty (30) days as requested in the correspondence.

6. The Legal Division of the Department again wrote to the Respondent on May 20, 2009 seeking the previously requested information within ten (10) days. The certified mail receipt shows that the Respondent received the correspondence. Respondent again failed to respond.

7. A Notice of Investigative Conference, dated July 22, 2009, was mailed to the Respondent via certified and regular mail. The Notice set out the failure to respond to the Department's attempt to investigate his termination for cause and stated that if he failed to appear, the Department would suspend or revoke his license.

8. Respondent failed to appear at the August 12, 2009 Investigative Conference and has failed to contact the Department in any manner with respect to his termination.

9. Respondent's Arkansas Non-Resident Producer License No. 333276 was placed on emergency suspension on September 29, 2009 pursuant to A.I.D. Order No. 2009-076.

10. As required by Ark. Code Ann. § 23-64-216(e), a hearing on the emergency suspension was promptly instituted and scheduled for November 12, 2009. The Notice of Hearing was mailed via certified and regular mail to the Respondent.

11. William R. Lacy, Director of the Department's Property and Casualty Division, served as the duly appointed Hearing Officer. Respondent failed to appear at the November 12, 2009 hearing and has not made any contact with the Department following the emergency suspension of his license. Evidence of the Respondent's repeated failures to respond or cooperate with the Department's investigation was presented.

**CONCLUSIONS OF LAW**

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

12. Pursuant to Ark. Code Ann. § 23-64-512(a)(13), (16), and (17), the Commissioner may revoke an insurance producer's license for any one (1) or more of the following reasons:

(a) Failing to provide a written response after a written inquiry from the Department within thirty (30) days of receipt;

(b) Refusing to be examined; and

(c) Failing to cooperate with an investigation.

13. Respondent's failure to respond to written inquiries and failure to appear at the Investigative Conference and the administrative hearing are sufficient grounds to revoke his license pursuant to Ark. Code Ann. § 23-64-512(a).

14. For the public health, safety, and welfare of the people of this State, the Commissioner concludes that the

**RECOMMENDATIONS OF THE HEARING OFFICER**

WHEREFORE, based upon the foregoing Findings of Fact, Conclusions of Law, and other matters before him, the Hearing Officer recommends:

15. That the Respondent's Arkansas Non-Resident Producer License No. 333276 should be immediately revoked.

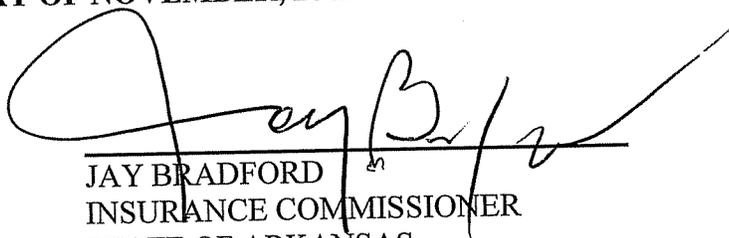
  
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WILLIAM R. LACY  
DIRECTOR, PROPERTY AND  
CASUALTY DIVISION and  
HEARING OFFICER

**CERTIFICATION**

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendations of the Hearing Officer were made by and under my authority and supervision by William R. Lacy, Director of the Property and Casualty Division and Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations in full and enter this Order.

THEREFORE, it is hereby ORDERED that Respondent's Arkansas Non-Resident Producer License No. 333276 is hereby revoked.

IT IS SO ORDERED THIS 13<sup>th</sup> DAY OF NOVEMBER, 2009.

  
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JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS