

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

**ARKANSAS INSURANCE DEPARTMENT, )  
Petitioner )**

**vs. )**

**DALE ALLEN DUNN, )  
Respondent )**

**A.I.D. NO. 2011- 058**

---

**EMERGENCY SUSPENSION ORDER**

---

On this day, the emergency matter of Dale Allen Dunn (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) was represented by Amanda Capps Rose, Associate Counsel, in this matter. From the facts and law before the Commissioner, he finds as follows:

**FINDINGS OF FACT**

1. Respondent holds Arkansas Resident Producer License No. 347740 and resides in Magnolia, Arkansas.
2. On June 30, 2009, the Respondent personally filed Chapter 7 bankruptcy in the United States Bankruptcy Court for the Western District of Arkansas, Case No. 1:09-BK-73234. The bankruptcy filing was not reported to the Commissioner as of the time of entry of this order.
3. At the time of entry of this order, records show that the Respondent has a one hundred twenty-seven thousand, twenty-seven dollar (\$127,027.00) personal federal tax lien, demonstrating financial irresponsibility.
4. Respondent was arrested on March 10, 2011 for one felony count of Theft of Property Over two thousand five hundred dollars (\$2500) in Case No. CR2011-76 in the Circuit

Court of Columbia County, Arkansas. Respondent, at the time of entry of this order, has not reported the arrest to the Commissioner.

5. In the Probable Cause Affidavit, executed by Detective Todd Dew, the following statements and allegations are made:

a. On November 8, 2010, Jerry Keith reported theft of funds to the Magnolia Police Department.

b. Mr. Keith owns Key Construction in Magnolia, Arkansas and hired the Respondent as the company's manager; accordingly, the Respondent was placed on the company's Peoples Bank account on January 27, 2010.

c. Mr. Keith reported a total of thirty-three thousand, one hundred seventy-nine dollars and thirty cents (\$33,179.30) in unauthorized withdrawals from the Peoples Bank account from July 1, 2009 through September 2010.

d. The funds that were withdrawn were taken via electronic payment and used to pay credit cards held in the name of Laura Dunn, the Respondent's wife. The charges on the credit cards paid by from Key Construction account included rent, trips, hotels, food, clothing, concert tickets and other unauthorized items.

e. The affidavit also states that the Respondent is in possession of machinery owned by Key Construction, the location of which is unknown.

### **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. Pursuant to Ark. Code Ann. § 23-64-201(e), all licensees must report any criminal charge or bankruptcy filing within thirty (30) days. Failure to so report may result in immediate suspension of the license under the above-cited subsection.

4. Demonstrating financial irresponsibility is grounds for suspension or revocation of a producer's license pursuant to Ark. Code Ann. § 23-64-512(a)(8). Both the federal tax lien and the allegations in the Columbia County criminal case, if proven, demonstrate financial irresponsibility.

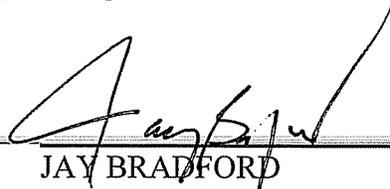
5. Having been found to have broken any law or demonstrating a lack of good personal and business reputation are grounds for suspension or revocation of a producer's license pursuant to Ark. Code Ann. § 23-64-512(a)(2)(A) and (a)(8). The allegations in the Columbia County criminal case, if proven, provide evidence of illegal activity and demonstrate a lack of good personal and business reputation.

6. For the public health, safety, and welfare of the people of this State, the Commissioner concludes that the Respondent's Arkansas Resident Producer License No. 347740 is immediately and summarily suspended pending an administrative hearing pursuant to Ark. Code Ann. § 23-64-216(e). A Notice of Hearing was sent to the Respondent simultaneously with this Order.

**IT IS HEREBY ORDERED** that:

Respondent's Arkansas Resident Producer License No. 347740 is hereby **SUSPENDED**. Respondent shall not, during the term of this suspension, conduct the business of insurance in the State of Arkansas.

IT IS SO ORDERED THIS 26<sup>th</sup> day of August, 2011.



---

JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS