BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT	)	
	)	
vs.	)	
	)	
THOMAS ANDREW MERK	)	**A.I.D. NO. 2011- 176**
	)	

SUSPENSION ORDER

On this day, the matter of Thomas Andrew Merk ("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 and concludes as follows:

FINDINGS OF FACT

1. Respondent holds Arkansas Nonresident Producer License No. 373424 and resides in Kentucky.

2. Effective on or about September 30, 2011, the Respondent's producer license in his home state is no longer active.

CONCLUSIONS OF LAW

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

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

4. In order to obtain a nonresident producer license in Arkansas, Ark. Code Ann. § 23-64-508(a)(1) requires that the person be licensed as a resident and in good standing in his or her home state.

5. Pursuant to Ark. Code Ann. § 23-64-508(b), the Commissioner has the authority to summarily suspend a nonresident producer whose domiciliary state has suspended, revoked, or otherwise terminated his or her resident producer license.

6. Upon presentation of sufficient evidence that a nonresident producer's home state license is active and in good standing, the suspension under this order shall be lifted as a matter of law pursuant to Ark. Code Ann. § 23-64-508(b)(3).

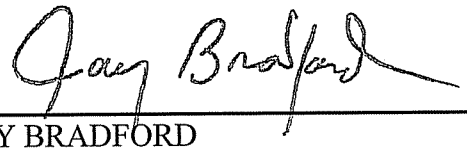
7. Respondent's Arkansas Nonresident Producer License No. 373424 is immediately and summarily suspended.

8. Respondent is instructed that he may request an administrative hearing regarding this matter within thirty (30) days of the date of this Suspension Order.

IT IS HEREBY ORDERED that:

Respondent's Arkansas Nonresident Producer License No. 373424 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 17th day of November, 2011.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS