

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

ARKANSAS INSURANCE DEPARTMENT,     )  
Petitioner                                     )  
                                                           )  
vs.                                                     )  
                                                           )  
KEITH WARREN THOMAS                     )  
Respondent                                     )

A.I.D. NO. 2014- 4 3 9

---

**EMERGENCY SUSPENSION ORDER**

---

On this day, the matter of Keith Warren Thomas (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Amanda Capps Rose, 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 3212454 and resides in McRae, Arkansas.
2. On May 16, 2006, the Arkansas Securities Department issued a Cease and Desist Order against the Respondent, which was then supplemented by a Modification of Cease and Desist Order on July 20, 2006.
3. Respondent answered “No” on his producer license application in 2008 to the question of whether he had been involved in an administrative action, which specifically states that a cease and desist order qualifies.
4. It was reported to the Department’s Consumer Services Division on or about June 2, 2014 that the Respondent had taken funds from a consumer with the promise of a large return on his investment. The consumer gave the Respondent five thousand five hundred dollars (\$5500.00) to invest in the German market as suggested by the Respondent.

5. Many months passed, and the consumer was unable to reach the Respondent or obtain his paperwork regarding the investment.

6. On September 3, 2014, the consumer was granted a judgment in the amount of five thousand five hundred dollars (\$5500.00) plus court costs in the Searcy District Court, Case No. SESC-14-485.

7. On the Respondent's most recent producer license renewal application, he answered "No" to questions regarding whether he had a money judgment against him or had been found liable in any lawsuit. He submitted the renewal application on September 18, 2014. He also answered "No" on the renewal application when asked about any administrative actions against an occupational license.

8. 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 and other provisions of the Arkansas Insurance Code.

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). The Commissioner has authority to order restitution in cases when any provision of the Arkansas Insurance Code has been violated. Ark. Code Ann. § 23-61-110(a)(3).

3. Pursuant to the Arkansas Insurance Code, the Commissioner may suspend or revoke an insurance producer's license for providing incorrect, misleading or materially untrue information in a license application. *See* Ark. Code Ann. § 23-64-512(a)(1). The Commissioner may also suspend or revoke an insurance producer's license for obtaining or attempting to obtain a license through misrepresentation or fraud.

4. Improperly withholding or converting any funds received in the course of doing insurance business is grounds for the suspension or revocation of an insurance producer's license pursuant to Ark. Code Ann. § 23-64-512(a)(4). Failing to return the five thousand five hundred dollars (\$5500.00) to the consumers who made a complaint at the Department also demonstrates fraudulent and dishonest practices, incompetence, untrustworthiness, financial irresponsibility and a lack of good personal and business reputation, all of which are grounds for suspension pursuant to Ark. Code Ann. §23-64-512(a)(8).

5. 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.

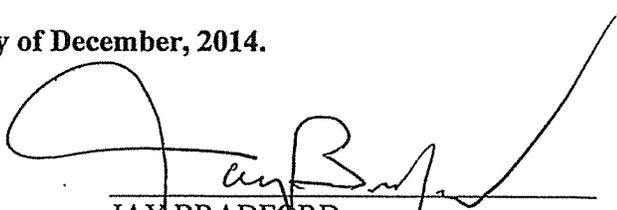
6. The Commissioner and the Department reserve the right to amend the allegations, findings and conclusions set forth herein and further reserve the right to present additional allegations and evidence in any subsequent order or administrative hearing.

**IT IS THEREFORE ORDERED:**

1. In consideration of the Commissioner's Findings of Fact and Conclusions of Law, the Respondent's Arkansas Resident Producer License, National Producer Number 3212454, is hereby immediately suspended.

2. Respondent is ordered to pay the amount adjudicated by the Searcy District Court on September 22, 2014 in Case No. SESC-14-485 within thirty (30) days of the date of this Emergency Suspension Order.

IT IS SO ORDERED this 18<sup>th</sup> day of December, 2014.

  
JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS