Hugh McDonald
SECRETARY OF COMMERCE

Alan McClain
COMMISSIONER,
ARKANSAS INSURANCE
DEPARTMENT

BEFORE THE ARKANSAS INSURANCE COMMISSIONER

NOTICE OF ADMINISTRATIVE HEARING

IN THE MATTER OF
THE INSURANCE ADJUSTER LICENSEE APPLICATION OF:

ASHLEY PICKUP
NPN 20802746

January 8, 2024

To: Ashley Pickup
1605 S 20th St
Rogers AR 72758-5656

Dear Ms. Pickup,

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 Alan McClain, as Hearing Officer, or his designee, and will be held on January 31, 2024, at 10:00AM at the Arkansas Insurance Department, #1 Commerce Way, Arkansas Commerce Building, Bldg. 4, Little Rock, Arkansas, 72202, in the in the 2nd Floor Diamond Mine Hearing Room. This hearing is your opportunity to present evidence that you meet the requirements necessary to be granted an insurance adjuster license. The purpose of the hearing is to consider your insurance adjuster application and the following allegations:

ALLEGATIONS

1. Petitioner, Ashley Pickup, applied for an insurance adjuster license on August 1, 2023.
2. Petitioner's license application was denied on October 3, 2023. Petitioner timely requested a hearing.

3. Petitioner's license application background question #1b asks: "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?"

4. Petitioner's answer to background question 1b was "No".

5. A felony information was filed in Washington County circuit court, case 72CR-23-1004, on May 22, 2023, in which Petitioner was accused by the prosecuting attorney of forgery and theft of property, both felonies. An arrest warrant was issued the same day.

6. Petitioner has not been convicted of any crime and is presumed innocent.

7. Petitioner waived formal arraignment but acknowledged in writing she received a copy of the felony information and she had discussed the nature of the offenses charged in the information with her attorney. A trial is currently pending.

8. Petitioner failed to notify the commissioner of her pending criminal charges in her insurance adjuster license application.

APPLICABLE LAW

1. Ark. Code §§ 23-60-101 et seq. assigns the responsibility for administration of the Arkansas Insurance Code to the Arkansas Insurance Commissioner. The Department is the lawful agency through which the Commissioner administers the Arkansas Insurance Code, and he is authorized to bring this action for the protection of Arkansas consumers.

2. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code § 2361-103.

3. Ark. Code §§ 23-64-101 et. seq. governs Petitioner's insurance adjuster license application.

4. Ark. Code § 23-64-201(e) requires all licensees or applicants for adjuster licensure to notify the commissioner in writing within thirty days of any filing of a criminal charge or conviction or plea of a criminal charge against them.

NOTICE

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 days of your receipt. If your notification is not received by the Department within ten 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, you wish to waive your right to a hearing, or you have questions or concerns, please contact me at gray.turner@arkansas.gov.

If you do not wish to pursue the license or attend the hearing, you may withdraw your application in writing.

Sincerely yours,

Gray Allen Turner
Associate Counsel
Arkansas Insurance Department
1 Commerce Way
Little Rock Arkansas 72202
501-371-2820
Gray.turner@arkansas.gov

Sent January 8, 2024, by U.S. First Class Mail and Certified Mail, Package No. 9589 0710 5270 0443 0175 70