



Kansas  
Insurance  
Department

FILED

NOV 29 2004

COMMISSIONER OF INSURANCE  
STATE OF KANSAS

**Sandy Praeger** COMMISSIONER OF INSURANCE

November 9, 2004

Marc A. Berg  
40 Commerce Pl., Ste 100  
Hicksville, NY 11801-5295

**Docket No. 3410-A**

Re: Excess/Surplus Lines Reporting Requirements; Untimely Filing

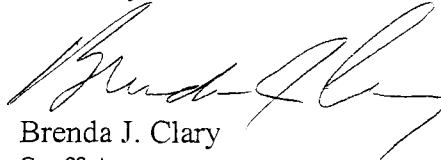
Dear Agent:

Kansas Insurance Department (KID) records indicate that you filed the required information and paid premium tax required by K.S.A. 40-246c on July 2, 2004. Pursuant to K.S.A. 40-246c, the amount of premium tax is doubled if the premium tax is not paid on or before March 1.

By this letter, you are directed to remit a penalty of 100% of the amount of the premium tax due, or \$11,532.72. If you have not complied or requested a hearing by the close of business on the 15<sup>th</sup> day after the date of this letter (or the first business day following the 15<sup>th</sup> day if the 15<sup>th</sup> day is not a business day), your excess lines and Kansas insurance agent's licenses will be suspended until such time as you pay the full amount of the penalty. Unless you request a hearing, this letter will become a final agency action at the close of business on the 15<sup>th</sup> day after the date of this letter.

You may direct a written request for hearing to John W. Campbell, General Counsel, Kansas Insurance Department, 420 SW 9<sup>th</sup> Street, Topeka, KS 66612. Mr. Campbell is also the agency officer designated pursuant to K.S.A. 77-613(e) to receive service on behalf of KID of a petition for judicial review.

Sincerely,

  
Brenda J. Clary  
Staff Attorney

Cc: Pete Tavares  
LeRoy Brungardt