

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

FINAL ORDER Effective: 03-26-07
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**In the Matter of the Kansas Nonresident)
Insurance Agent's License of)
DAWN E. McCLUNG)**

Docket No. 3632-SO

SUMMARY ORDER

(Pursuant to K.S.A. 2006 Supp. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2006 Supp. 40-4909, the Commissioner hereby revokes the nonresident agent's license of Respondent Dawn E. McClung by way of Summary Order as provided by K.S.A. 77-537.

Findings of Fact

The Commissioner has been shown the following facts:

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since January 4, 2006. KID records further indicate a legal address of 290 Parkertown Rd, Hubert, NC, 28539 and mailing address of 3538 Wakefield Circle, Arlington, TX, 76015.

2. By order dated and effective April 1, 2006, Respondent's North Carolina insurance producer's license was revoked as a continuing education cancellation. Further, Respondent's Louisiana license, by order dated and effective December 5, 2006 was revoked for failure to comply with previous order and failure to make required disclosure on a license application. Further, by order dated and effective June 15, 2006, the state of Mississippi denied respondent an insurance agent's license due to outstanding charges.

Applicable Law

3. K.S.A. 2004 Supp. 40-4909(a) provides, in relevant part:

“The commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has . . .(9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any other state, district or territory. . . .” K.S.A. 2006 Supp. 40-4909(9)

4. The Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the insurable interests of the public are not properly served under such license. K.S.A. 2006 Supp. 40-4909(b).

Conclusions of Law

5. The Commissioner has jurisdiction over Respondent as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

6. The Commissioner concludes that Respondent’s Kansas license may be revoked solely because Respondent has had an agent’s license or its equivalent revoked in another state.

7. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent’s license of Dawn E. McClung pursuant to K.S.A. 2006 Supp. 40-4909(a).

8. In addition, the Commissioner finds that the insurance agent’s license of Dawn E. McClung should be revoked without delay for the protection of the insurable interests of the public pursuant to K.S.A. 2006 Supp. 40-4909(b).

9. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings does not violate any provision of the law and the protection of the public interest does not require KID to give notice and opportunity to participate to persons other than Dawn E. Mc Clung.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas nonresident insurance agent's license of Dawn E. Mc Clung is hereby **REVOKED.**

IT IS FURTHER ORDERED that respondent Dawn E. Mc Clung shall CEASE and DESIST from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this order.

Notice of Right to Hearing or Appeal

You are entitled to a hearing pursuant to K.S.A. § 77-537, the Kansas Administrative Procedure Act. If you desire a hearing, you must file a written request for a hearing with:

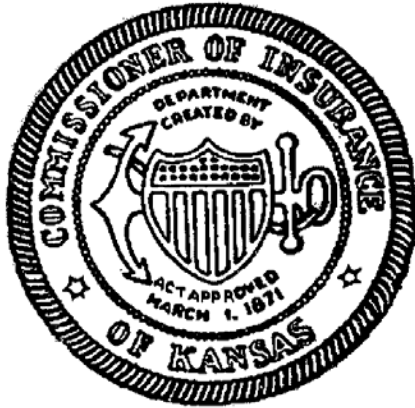
John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

This request must be filed within fifteen (15) days from the date of service of this Order. If you request a hearing, the Kansas Insurance Department will notify you of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of same.

If a hearing is not requested in the time and manner stated above, this Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. § 77-613. In the event that you file a petition for judicial review, pursuant to K.S.A. § 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

IT IS SO ORDERED THIS __8th__ DAY OF MARCH, 2007, IN THE CITY OF
TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



_/s/ Sandy Praeger_____

Sandy Praeger

Commissioner of Insurance

BY:

_/s/ John W. Campbell_____

John W. Campbell

General Counsel

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing Summary Order was served by placing the same in the United States Mail, first class postage prepared, on this __8th__ day of March, 2007, addressed to the following:

Dawn E. Mc Clung
290 Parkertown Road
Hubert, North Carolina 28539

Dawn E. Mc Clung
3538 Wakefield Circle
Arlington, TX 76015

_/s/ Ralph DeZago_____

Ralph DeZago

Staff Attorney