

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

In re:

PHILLIP MONTANO
Maine License No. PRN184656
National Producer No. 14818562

Docket No. INS-13-211

**LICENSE REVOCATION
NOTICE, ORDER,
and
OPPORTUNITY FOR
HEARING**

NOTICE TO PHILLIP MONTANO:

Effective as of **January 3, 2014**, your Maine nonresident insurance producer license will be **REVOKED** without further formal proceedings unless you request a hearing as specified below.

The reasons for license revocation are as follows:

1. You have been licensed in Maine as a nonresident producer since November 16, 2010. You responded "No" to the license application question "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?"
2. You failed to disclose a 2005 misdemeanor conviction for issuing a bad check and a 2008 misdemeanor conviction for unlawful imprisonment in the second degree and reckless endangerment in the second degree when you became licensed in Maine in 2010. You were still on probation for the 2008 conviction at the time you became licensed in Maine. Your false response to the license application question constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(A) for providing incorrect, misleading, incomplete or materially untrue information in the license application, and 24-A M.R.S. § 1420-K(1)(C) for obtaining a license through misrepresentation or fraud.
3. The State of California denied your application for a producer license effective January 5, 2013, for your failure to disclose these convictions. The California denial constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(I) for having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory.

4. The following states have revoked your producer license for having provided materially incorrect, misleading, incomplete or untrue information in your application: State of Idaho on May 8, 2013, State of Wyoming on May 10, 2013, and Commonwealth of Virginia on October 22, 2013. Each of these revocations constitutes a separate ground for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(I) for having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory.
5. You failed to report these three state license revocations to the Maine Superintendent of Insurance as required by 24-A M.R.S. § 1420-P(1), which also constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.
6. You failed to report to the Maine Superintendent of Insurance a penalty of \$750 imposed through a stipulation with the New York State Department of Financial Services dated April 10, 2013, as required by 24-A M.R.S. § 1420-P(1), which also constitutes grounds for revocation of your Maine license under 24-A M.R.S. § 1420-K(1)(B), for violating insurance laws.

Therefore, based upon the above grounds, your Maine insurance producer license is **revoked** as of **January 3, 2014** pursuant to 24-A M.R.S. §§1417 and 1420-K, subject to your right to request a hearing.

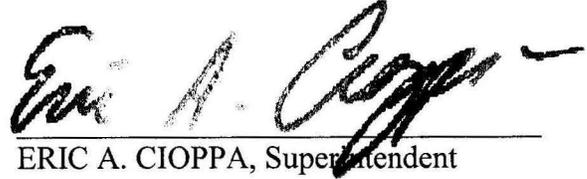
Under the Maine Insurance Code, specifically 24-A M.R.S. §1417 and §1420-K, you have the right to a hearing before the Superintendent or his designee. If you request a hearing, you will have the right to present evidence and arguments in your defense, and the staff of the Bureau of Insurance will bear the burden of proving each violation by a preponderance of evidence.

If you request a hearing, you will receive further communication regarding scheduling. The matters to be determined through the hearing process are whether you committed one or more of the violations listed above, and if so, the appropriate sanctions for those violations. The sanctions imposed after a hearing can include any available remedy under applicable laws, including the payment of civil penalties.

To request a hearing, you must notify the Bureau of Insurance in writing no later than January 3, 2014. If you do not file a written request for a hearing within 30 days from the time you know or reasonably should have known of the intended revocation of your license, you will lose your right to request a hearing on this matter, and your license revocation will be final and entered into Bureau records, in accordance with this Notice and Order.

Any request for a hearing, as well as all other communications regarding this Notice, Order, and Opportunity for Hearing must be addressed to Bureau staff Attorney Dyan M. Dyttmer, Bureau of Insurance, #34 State House Station, Augusta, ME 04333-0034. You may also reach Attorney Dyttmer by e-mail at dyan.dyttmer@maine.gov or telephone at 207 624-8402.

November 26, 2013



ERIC A. CIOPPA, Superintendent