

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

FINAL ORDER

In the Matter of the APPLICATION FOR AN
INSURANCE AGENT'S LICENSE
OF GERARD GRACE

Effective: 1-21-99

Docket No. 2717-L

NOTICE OF PROPOSED DEFAULT ORDER

NOW on this 11th day of January, 1999, the above-captioned matter comes before the presiding officer for a formal hearing pursuant to the Kansas Administrative Procedure Act, K.S.A. 77-501 *et. seq.* The Kansas Insurance Department (KID) appears by counsel, JaLynn Copp. The appellant, Gerard Grace, fails to appear.

1. This proposed default order is being issued due to Mr. Grace failing to appear at the scheduled formal hearing.
2. The formal hearing was properly set for January 8, 1999 at 1:30 p.m., at the Kansas Insurance Department, 420 SW 9th St., Topeka, Kansas 66612-1678. The time and date of the hearing was contained in the hearing notice mailed to Mr. Grace on December 18, 1998.
3. In the hearing notice, Mr. Grace was ordered to appear at the Kansas Insurance Department at 420 SW 9th St., Topeka, Kansas.
4. Mr. Grace did not appear for the hearing on the above stated date and time. He called the presiding officer and the Department's counsel on December 30, 1998 indicating that he would not be participating in the hearing.
5. The hearing notice also informed Mr. Grace that if he failed to participate in the formal hearing, or other stage of this proceeding, he could be held in default under the Kansas Administrative Procedures Act, resulting in a dismissal of his request for a formal hearing.

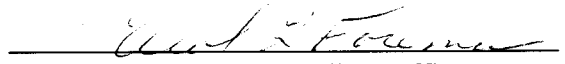
DEFAULT ORDER

1. The Presiding Officer finds that Mr. Grace is in default for failing to participate in the formal hearing in this matter scheduled for January 8, 1999 at 1:30 p.m.
2. It is therefore ordered that Mr. Grace's request for a formal hearing be dismissed.

3. Mr. Grace's application for a Kansas Insurance Agent's License is denied.
4. Pursuant to K.S.A. 77-520, the presiding officer hereby gives notice to Mr. Grace that he may file a written request to vacate this proposed default order if made within seven (7) days of service. Any request to vacate or set aside this proposed default order should state the grounds upon which the request is being made.
5. Unless vacated by the presiding officer, this default order will become effective after the period of time allowed to file a request for such action has expired.
6. If the proposed default order becomes effective, Mr. Grace has the right to judicial review pursuant to K.S.A. 77-601 *et. seq.* Pursuant to K.S.A. 77-527(j), the Commissioner of Insurance, Kathleen Sebelius, is designated as the individual to receive service of a petition for judicial review.

The Presiding Officer, being well and duly advised in the premises, now enters this Proposed Default Order against Mr. Grace. It shall take effect as specified in the above findings.

IT IS SO ORDERED.

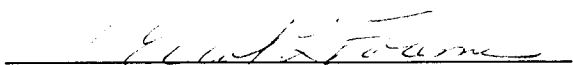

Carol L. Foreman, Presiding Officer
610 SW 10th St.
Topeka, KS 66612

CERTIFICATE OF SERVICE

On January 11, 1999, I mailed a copy of this document to:

Gerard Grace
409 Sumner St.
Topeka, KS 66616

Kathleen Sebelius, Commissioner
JaLynn Copp, Staff Attorney
Kansas Insurance Dept.
420 SW 9th St.
Topeka, KS 66612


Carol L. Foreman, Presiding Officer