

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
JOHN O. PASTORE COMPLEX
1511 PONTIAC AVENUE
CRANSTON, RI 02920**

IN THE MATTER OF:

Kevin McKnight,

Respondent.

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DBR No.: 10-L-0157

DEFAULT JUDGMENT REGARDING LICENSE

The above-entitled matter came for a pre-hearing conference on November 3, 2010 pursuant to the Department of Business Regulation's ("Department") Order to Show Cause, Notice of Hearing and Appointment of Hearing Officer ("Order to Show Cause") issued by the Department on September 24, 2010 to Kevin McKnight ("Respondent"). At the same time that the Order to Show Cause was issued to the Respondent, an Order to Show Cause was also issued to Bankers Life & Casualty Company, DBR No. 10-I-0145 and 19 other insurance producers as well as the Respondent (DBR Nos. 10-L-0146 through 10-L-0165). At the pre-hearing conference, the issues were clarified and all the matters were administratively consolidated.

On or about October 13, 2011, Bankers Life & Casualty Company entered into a consent order with the Department. On or about October 14, 2011, all other noticed insurance producers except for the Respondent entered into consent orders with the Department.

The Respondent's matter came for hearing on April 12, 2012 at which time the Respondent did not appear. The Respondent was notified of the hearing and failed to

contact the undersigned or the Department's counsel. Since the Respondent received adequate notice of hearing, the hearing was held. At hearing, the Department represented that the Respondent had a different attorney than the other respondents in the above-referenced consolidated matters so that the Respondent's matter had not settled at the time that the other matters had been resolved. The Department also represented that the Respondent is now employed elsewhere and the Department believes that he now is cognizant of the statutory and regulatory requirements for insurance producers.

The Department requested that the undersigned make findings of facts on the basis of the Order to Show Cause and enter a default judgment against Respondent finding that the facts alleged by the Department are true and imposing the same terms and conditions as the consent orders entered into by the other insurance producers so that the sanctions are uniform. The Department has jurisdiction over this matter pursuant to R.I. Gen. Laws § 27-2.4.1-1 *et seq.*

Based on the foregoing, the undersigned makes the following findings of fact:

1. Pursuant to Section 21 of the *Central Management Regulation 2 – Rules of Procedure in Administrative Hearings* (“CMR2”), the Respondent is declared to be in default for failing to appear at the hearing.
2. Pursuant to Section 21 of the CMR2, the allegations in the Order to Show Cause are found to be true.

Based on the foregoing, the undersigned makes the following conclusions of law:

1. The Respondent violated R.I. Gen. Laws § 27-29-4 (misrepresentation), Insurance Regulation 12 (suitability), and Insurance Regulation 29 (replacement) in the sale of a single premium whole life policy on February 2, 2009.

On the basis of the forgoing, the undersigned makes the following recommendation:

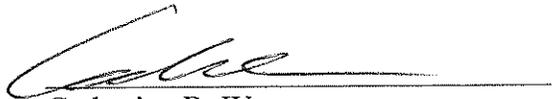
1. Cooperation with Remediation Program: The Respondent shall fully cooperate with the Remediation Program, as set forth in the Bankers' consent order of October 13, 2011 and will provide Bankers with any and all information that may be requested with regard to any life insurance or annuity sale subject to the Remediation Program.

2. Commissions and Overrides: Bankers will chargeback commissions and overrides, to all producers sharing in such commissions or overrides, with regard to all life insurance or annuity sales that are rescinded on where Bankers pays refunds under the Remediation Program set forth in the Bankers' consent order.

3. Compliance: The Respondent shall conform to Rhode Island statutory insurance law and the Department's regulations, including but not limited to Regulation 12 (suitability), Regulation 29 (replacement) and Regulation 67 (records retention). The Respondent (if applicable) shall conform to all Bankers' policies and procedures concerning marketing and sales practices and to participate in Bankers' internal training programs.

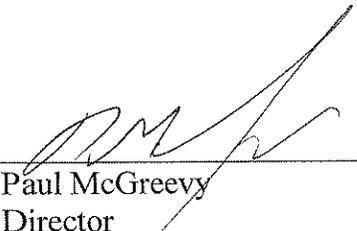
4. Complying with Consent Order: The department will monitor compliance by the Respondent with this Default Judgment on an ongoing basis. Noncompliance could result in further administrative proceedings.

Entered this 20th day of April, 2012.


Catherine R. Warren
Hearing Officer

I have read the Hearing Officer's recommendation in this matter and I hereby ADOPT/REJECT the findings of facts, the conclusions of law, and recommendation of the hearing officer in the above entitled Final Order.

Dated: 23 April 2012


Paul McGreevy
Director

Entered as Administrative Order No. 12- 027 on this 25th day of April, 2012.

NOTICE OF APPELLATE RIGHTS

THIS ORDER CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS ORDER MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify that on this 25th day of April, 2012, that a copy of the within Order was sent by first class mail, postage prepaid—

Walter J. Manning, III, Esquire
875 Centerville Road, Bldg 2, Suite 4
Warwick, RI 02886

and by electronic delivery to —

Elizabeth Kelleher Dwyer, Esquire
Joseph Torti, Deputy Director
Department of Business Regulation
Pastore Complex
1511 Pontiac Avenue
Cranston, RI.