

FILED

2009 JUN 16 A 10:24

DIVISION OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF

DAVID RANDALL WOODARD



REPRESENTING  
**ALEX SINK**  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

**FILED**

JUN 15 2009

Docketed by [Signature]

08-1223

CASE NO: 93679-08-AG

FINAL ORDER

THIS CAUSE came on before Alex Sink, as Chief Financial Officer, for consideration of and final agency action. On January 29, 2009, the Department of Financial Services ("Department") filed an Administrative Complaint against the Respondent, David Randall Woodard, alleging certain violations of the statutes and rules governing an insurance agent in connection with the mishandling of insurance premiums. The Petitioner timely filed a request for a proceeding pursuant to Section 120.57(1), Florida Statutes. Pursuant to notice, the matter was heard before the Honorable R. Bruce McKibben, Administrative Law Judge, Division of Administrative Hearings on March 11, 2009.

After consideration of the evidence and argument presented at the hearing, the Administrative Law Judge issued a Recommended Order on April 15, 2009. (Attached as Exhibit A). The Administrative Law Judge Officer recommended that the Department enter an order revoking Respondent's insurance license. No exceptions to the Recommended Order were filed.

Therefore, upon careful consideration of the record and being otherwise fully advised in the premises, IT IS HEREBY ORDERED:

1. The Findings of Fact of the Administrative Law Judge are adopted in full and incorporated herein by reference as the Department's Findings of Fact.

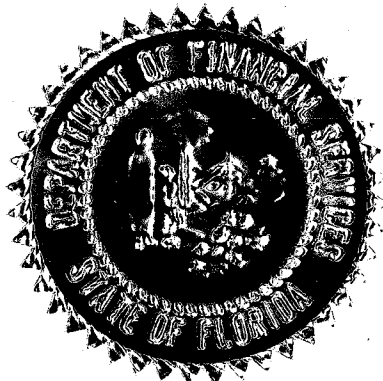
2. The Conclusions of Law of the Administrative Law Judge are adopted in full and incorporated herein by reference as the Department's Conclusions of Law.

3. The Hearing Officer's recommendation that the Respondent's insurance license be revoked is hereby approved and accepted as being the appropriate disposition of this case.

ACCORDINGLY, it is ORDERED that Respondent's, DAVID RANDALL WOODARD, license and eligibility for licensure as an insurance agent are hereby REVOKED, effective immediately upon issuance of this Final Order. Pursuant to Section 626.651, Florida Statutes, the revocation of Respondent's license and eligibility for licensure is applicable to all licenses and eligibility held by Respondent under the Florida Insurance Code.

Pursuant to Section 626.641, Florida Statutes, the Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent, agency, adjuster, or adjusting firm. In addition, the Department shall not grant a new license or appointment or reinstate eligibility to hold such license or appointment if it finds that the circumstance or circumstances for which the eligibility was revoked or for which the previous license or appointment was revoked still exist or are likely to recur.

DONE and ORDERED this 15<sup>th</sup> day of June, 2009.



  
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Tammy Teston  
Deputy Chief Financial Officer

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Florida Rules of Appellate Procedure. Review proceedings must be instituted by filing a petition or notice of appeal with Tracey Beal, DFS Agency Clerk, at 200 East Gaines Street, Tallahassee, Florida 32399-0390, and a copy of the same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

Copies furnished to:

David R. Woodard, Respondent  
9712 White Barn Way  
Riverview, FL 33569

William Gautier Kitchen, Esquire  
Attorney for the Petitioner  
Department of Financial Services  
Division of Legal Services  
200 East Gaines Street  
Tallahassee, FL 32399-0333

Honorable R. Bruce McKibben  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060