

OPERATIONS MANAGER

#### TEXAS AUTOMOBILE INSURANCE PLAN ASSOCIATION

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TAIPA Bulletin No. 14

To All Member Companies

Ricardo Alexses Navapulido D/B/A Corporate Insurance Services D/B/A AIM Insurance Agency

Margaret Alsobrook

For your information attached please find a copy of an "Emergency Cease & Desist" order signed by Commissioner Bomer for the above referenced agent/agency.

Very truly yours,

Margaret Alsobrook Operations Manager No. 95-0113

Official Order

of the

#### Commissioner of Insurance

of the State of Texas Austin, Texas

Date:

FEB 0 3 1995

Subject Considered:

RICARDO ALEXSES NAVAPULIDO
D/B/A
CORPORATE INSURANCE SERVICES
D/B/A
AIM INSURANCE AGENCY
Houston, Texas

#### EMERGENCY CEASE AND DESIST ORDER

General remarks and official action taken:

On this day the Staff of the Texas Department of Insurance, through Barbara Stansfield, staff attorney, presented to the Commissioner of Insurance a verified application for an ex parte Emergency Cease and Desist Order. The Staff alleged that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY has engaged in the business of insurance in this State in violation of TEX. INS. CODE ANN. art. 1.14-1, and has engaged in unfair methods of competition in violation of TEX. INS. CODE ANN. art. 21.21 §3 and 28 TEX. ADMIN. CODE §21.3; and that this conduct creates an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent, and irreparable public injury. The Staff further alleged that unless RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY is immediately ordered to cease and desist from the acts alleged, he will continue to commit the same and similar acts to the irreparable and immediate injury of the public.

The Commissioner has authority and jurisdiction over this matter pursuant to TEX. INS CODE ANN. arts. 1.10A, 1.14-1 and 21.21, and 28 TEX. ADMIN. CODE §1.901.

The Commissioner, having examined the Staff's application, attached hereto and incorporated herein for all purposes, finds that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY is an unauthorized individual engaged in the business of insurance, acting in violation of TEX. INS. CODE ANN. art. 1.14-1, and is engaging in unfair methods of competition in violation of TEX. INS. CODE ANN. art. 21.21 and 28 TEX. ADMIN. CODE §21.3.

EMERGENCY CEASE AND DESIST ORDER RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY PAGE 2 OF 5

It appears to the Commissioner that the alleged conduct creates an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent, and irreparable public injury.

IT IS, THEREFORE, ORDERED that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY, and those acting as his agents, employees, servants, representatives, administrators and/or adjusters, and those acting in concert with him shall immediately cease and desist in the State of Texas from:

- Falsifying, altering, concealing, or destroying, or refusing to disclose to the Texas Department of Insurance, or removing from the jurisdiction of the Commissioner, any records relating to the doing of the business of insurance and/or the doing of the acts of an insurance agent, by RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY:
- 2. Facilitating or proposing to facilitate, as an insurance agent, the issuance of any contract of insurance, and/or doing or performing any other act or thing in the making or consummating of any contract of insurance, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
- 3. Taking or receiving any application for insurance unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
- 4. Receiving or collecting any premium, commission, fees, assessments, dues or other consideration for any contract of insurance or any part thereof, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.

EMERGENCY CEASE AND DESIST ORDER RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY PAGE 3 OF 5

- Issuing or delivering any contracts of insurance to residents of this State, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
- 6. Directly or indirectly acting as an agent for or otherwise representing or aiding on behalf of any insurer in the solicitation, negotiation, procurement or effectuation of insurance or renewals thereof, or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or investigation or adjustment of claims or losses or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting any insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
- 7. Doing any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance on behalf of any insurer, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance.
- 8. Doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes; and/or
- Making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of their insurance business, which is untrue, deceptive or misleading.

EMERGENCY CEASE AND DESIST ORDER RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY PAGE 4 OF 5

IT IS FURTHER ORDERED that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY shall immediately notify all individuals for whom and with whom he engaged in the business of insurance that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY has been ordered to cease and desist from engaging in the business of insurance, as specified above.

IT IS FURTHER ORDERED that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY shall present proof to the Texas Department of Insurance within thirty (30) days of receipt of this Order that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY has notified the individuals of this Order, as specified in the paragraph above.

IT IS FURTHER ORDERED that this Order is effective immediately and shall continue in force and effect until further order of the Commissioner. This Order is binding on RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY, and those acting as his agents, employees, servants, representatives, administrators and/or adjusters, and those acting in concert with him, and any assignee or successor of RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY.

Pursuant to TEX. INS. CODE ANN. art. 1.10A §3, any person affected by this Order and who seeks to contest it has the right to request a hearing before the Commissioner or his duly appointed representative, to show cause why this Order should not be affirmed. The person affected must make the request not later than the 30th day after the date on which the person receives this Order. The request must be in writing directed to the Commissioner and must state the grounds for the request to set aside or modify the Order. Pending the hearing, this Order shall continue in full force and effect unless stayed by the Commissioner. Any such hearing shall be conducted according to the procedures for contested cases under TEX. GOV'T CODE ANN. §§2001.051 - 2001.902.

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#### IN THE EVENT THIS ORDER IS VIOLATED, THE COMMISSIONER MAY:

- (1) IMPOSE A CIVIL PENALTY OF \$25,000.00 FOR EACH ACT OF VIOLATION, OR DIRECT THE PERSON AGAINST WHOM THE ORDER IS ISSUED TO MAKE COMPLETE RESTITUTION, IN THE FORM AND AMOUNT AND WITHIN THE PERIOD DETERMINED BY THE COMMISSIONER, TO ALL TEXAS RESIDENTS, TEXAS INSUREDS, AND ENTITIES OPERATING IN TEXAS DAMAGED BY THE VIOLATION OR FAILURE TO COMPLY, OR IMPOSE BOTH THE PENALTY AND DIRECT RESTITUTION, and/or
- (2) INITIATE PROCEEDINGS TO REVOKE THE CERTIFICATE OF AUTHORITY OF THE PERSON AFFECTED BY A RULING OR ACTION ISSUED UNDER THIS ARTICLE, and/or
- (3) PURSUE ANY OTHER ACTION THE COMMISSIONER DEEMS APPROPRIATE UNDER APPLICABLE LAW.

**ELTON BOMER** 

COMMISSIONER OF INSURANCE

IN THE MATTER OF	§	BEFORE THE COMMISSIONER
RICARDO ALEXSES NAVAPULIDO	§ §	
D/B/A CORPORATE INSURANCE SERVICES	§ 6	OF INSURANCE OF
D/B/A AIM INSURANCE AGENCY	9	
	9 §	
RESPONDENT	8	THE STATE OF TEXAS

#### STAFF'S APPLICATION FOR EMERGENCY CEASE AND DESIST ORDER

COMES NOW the Staff of the Texas Department of Insurance, through Barbara Stansfield, staff attorney, complaining of RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY, Respondent. The Department of Insurance alleges that the Respondent is engaging in the unauthorized business of insurance. Pursuant to Article 1.14-1 of the Texas Insurance Code, this unauthorized activity creates imminent peril to the public welfare.

## I. RESPONDENT AND SERVICE

RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY is an unlicensed individual who holds no valid license or certificate of authority issued by the Texas Department of Insurance. RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY may be served at 10222 Hammerly #615, Houston, Texas 77043; 10067 Timber Oak, Houston, Texas 77080; 1107 N. Gessner, Suite C, Houston, Texas 77080; and 1646 N. Gessner, Houston, Texas 77257.

#### II. JURISDICTION

The Commissioner of Insurance has jurisdiction over this matter pursuant to TEX. INS. CODE ANN. arts. 1.10A, 1.14-1 and 21.21, and 28 TEX. ADMIN. CODE §1.901.

STAFF'S ÅPPLICATION FOR EMERGENCY CEASE AND DESIST ORDER RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY PAGE 2 OF 7

## III. NATURE OF THIS ACTION

This application for an Emergency Cease and Desist Order is brought by the Staff of the Texas Department of Insurance, acting within the scope of its official duties and for the purpose of obtaining an ex parte cease and desist order, without notice or hearing, under the authority of TEX. INS. CODE ANN. art. 1.10A, and 28 TEX. ADMIN. CODE §1.901, and under general statutory authority. If granted, RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY will be ordered to cease and desist from any activity on his part, or on the part of others acting as his agents or in concert with him, within this State for which he is not licensed, from obstructing an investigation into the allegations by the Staff, and from engaging in the business of insurance in the State of Texas contrary to its laws.

# IV. ALLEGATIONS

Based upon the attached Affidavit of Earl E. Stearns, Compliance Specialist, Agent Activities Section, Legal and Compliance Division, Texas Department of Insurance, the Staff alleges that:

- 1. On or about August 4, 1994, RICARDO ALEXSES NAVAPULIDO purchased AIM Insurance Agency, located at 1646 N. Gessner, Houston, Texas, from owner Doyle C. Myers. At this time, RICARDO ALEXSES NAVAPULIDO did not possess any valid insurance agent's license or certificate of authority issued by the Texas Department of Insurance authorizing him, or any agent of him, to perform any of the acts of an insurance agent in the State of Texas. However, RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY has performed acts since the purchase of AIM Insurance Agency, 1646 N. Gessner, Houston, Texas, that constitutes the business of insurance, including, but not limited to, handling applications for insurance, accepting premium payments from consumers, and representing to the public that he is engaged in the business of insurance.
- 2. To initiate this unauthorized activity, on or about August 30, 1994, RICARDO ALEXSES NAVAPULIDO executed an affidavit application which was submitted to the Texas Department of Insurance for a Temporary Local Recording Agent's license on or about September 8, 1994. The application stated that the license was being sponsored by "Safeway Insurance Co." However, Safeway is a managing general agency and did not sponsor or otherwise agree to the application for RICARDO ALEXSES NAVAPULIDO's Temporary Local

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Recording Agent's license. Due to the application's lack of the required signature of the company sponsor, as well as the fact that Safeway could not have sponsored the application since it is a managing general agency, the Texas Department of Insurance returned the unprocessed application to RICARDO ALEXSES NAVAPULIDO with notification of its incompleteness and lack of validity.

- In furtherance of his unauthorized scheme, RICARDO ALEXSES NAVAPULIDO telephoned the Texas Department of Insurance and deceptively obtained an identification number from the Department that had been assigned to his rejected license application. RICARDO ALEXSES NAVAPULIDO then fraudulently began to place that identification number on all insurance-related documents and falsely claimed that the identification number was RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES's authorized license number for his Temporary Local Recording Agent's license. RICARDO ALEXSES NAVAPULIDO knew, or should have known, that the number he had deceptively obtained from the Texas Department of Insurance was not an authorized Local Recording Agent license number and that he held no valid license, certificate of authority, registration or exemption issued by the Texas Department of Insurance to act as an agent in the State of Texas.
- 4. On or about October 26, 1994, RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES fraudulently represented to Ameristar Insurance Services, Inc., a managing general agent, that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES was properly licensed and authorized by the Texas Department of Insurance to engage in the business of insurance. RICARDO ALEXSES NAVAPULIDO held himself out as a licensed agent by giving Ameristar the identification number described in allegation no. 3 above. Based upon this false representation, Ameristar Insurance Services, Inc. entered into a Producers Agreement with RICARDO ALEXSES NAVAPULIDO, as owner of Corporate Insurance Services, to accept the insurance business of RICARDO ALEXSES NAVAPULIDO.
- The assumed business name of Corporate Insurance Services utilized by RICARDO ALEXSES NAVAPULIDO is not registered or otherwise registered with the Texas Department of Insurance, as required by Title 28 Texas Administrative Code section 19.902. The various agency locations of RICARDO ALEXSES NAVAPULIDO located at 10222 Hammerly #615, Houston, Texas 77043; 10067 Timber Oak, Houston, Texas 77080; 1107 N. Gessner, Suite C, Houston, Texas 77080; and 1646 N. Gessner, Houston, Texas 77257 are not registered or otherwise registered with the Texas Department of Insurance, as required by Title 28 Texas Administrative Code section 19.902.

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- 6. From on or about October 18, 1994, to on or about January 17, 1995, RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY engaged in the business of insurance by accepting premium payments from consumers and forwarding those moneys with liability insurance applications to various insurers and/or agents, including, but not limited to, the Texas Automobile Insurance Plan Association ("TAIPA"; formerly known as the Texas Automobile Insurance Plan until January 1, 1995). However, TAIPA has since notified RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES that TAIPA will no longer accept insurance business from him or his agency.
- 7. Due to the refusal of Ameristar and TAIPA to accept any additional insurance business from RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES, the premiums that RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES is collecting at this time are not being forwarded to any insurer, managing general agent, or other licensed entity writing automobile coverage in the State of Texas, to the detriment of the unsuspecting consumers.
- 8. At no time during RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY's insurance-related acts did RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY hold a valid insurance agent's license, certificate of authority, registration, or exemption issued from the Texas Department of Insurance.

The above conduct of RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY violates TEX. INS. CODE ANN. arts. 21.14 §4(a), 1.14-1 and 21.21 §§3 and 4, and 28 TEX. ADMIN. CODE §21.3, and creates an immediate danger to the public safety or is causing or can be reasonably expected to cause significant, imminent and irreparable public injury.

The Staff believes that unless RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY is immediately ordered to cease and desist from the commission of the acts herein alleged, he will continue to commit the same and similar acts to the irreparable and immediate injury of the public.

# V. RELIEF REQUESTED

WHEREFORE, PREMISES CONSIDERED, the Staff requests that the Commissioner immediately, without notice or hearing, issue a Cease and Desist Order under TEX. INS. CODE ANN. art. 1.10A, and 28 TEX. ADMIN. CODE §1.901, ordering RICARDO

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ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY, and his agents, employees, servants, representatives, administrators, and/or adjusters and those acting in concert with him to immediately cease and desist in this State from:

- Falsifying, altering, concealing, or destroying, or refusing to disclose to the Texas Department of Insurance, or removing from the jurisdiction of the Commissioner, any records relating to the doing of the business of insurance and/or the doing of the acts of an insurance agent, by RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY;
- 2. Facilitating or proposing to facilitate, as an insurance agent, the issuance of any contract of insurance, and/or doing or performing any other act or thing in the making or consummating of any contract of insurance, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance;
- 3. Taking or receiving any application for insurance unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance;
- 4. Receiving or collecting any premium, commission, fees, assessments, dues or other consideration for any contract of insurance or any part thereof, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance:
- 5. Issuing or delivering any contracts of insurance to residents of this State, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance;
- 6. Directly or indirectly acting as an agent for or otherwise representing or aiding on behalf of any insurer in the solicitation, negotiation, procurement or effectuation of insurance or renewals thereof, or in the dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts, or inspection of risks, or investigation or adjustment of claims or losses or in the transaction of matters subsequent to effectuation of the contract and arising out of it, or in any other manner representing or assisting any insurer

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in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance;

- 7. Doing any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance on behalf of any insurer, unless and until RICARDO ALEXSES NAVAPULIDO D/B/A CORPORATE INSURANCE SERVICES D/B/A AIM INSURANCE AGENCY holds a valid applicable license, certificate of authority, or exemption issued by the Texas Department of Insurance;
- 8. Doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes; and/or
- Making, publishing, disseminating, circulating or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading.

The Staff requests any and such further relief, both general and special, at law and in equity, as may be authorized by law, whether or not the same be specifically requested herein.

Respectfully submitted this 3rd day of February, 1995:

Barbara Stansfield &

Staff Attorney, Agent Activities Section Legal Services Division MC-110-1A Texas Department of Insurance

333 Guadulupe P.O. Box 149104

Austin, Texas 78714-9104

SBN: 19053100

(512) 463-6109 / FAX: (512) 475-1772

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IN THE MATTER OF	§ 8	BEFORE THE COMMISSIONER
RICARDO ALEXSES NAVAPULIDO	8	
D/B/A CORPORATE INSURANCE SERVICES	9	OF INSURANCE OF
D/B/A AIM INSURANCE AGENCY	§ §	
RESPONDENT	§ §	THE STATE OF TEXAS

### SWORN AFFIDAVIT OF EARL E. STEARNS

BEFORE ME, the undersigned authority, personally appeared Earl E. Stearns, who being by me duly sworn, deposed and said:

"My name is Earl E. Stearns, I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

I am a Compliance Specialist employed in the Agent Activities Section of the Legal and Compliance Division of the Texas Department of Insurance. I verify that I have carefully read the allegations contained in the foregoing application and that each of said allegations is true and correct based upon my personal knowledge and the records of the Texas Department of Insurance."

> Earl E. Stearns, Compliance Specialist Agent Activities Section, Legal and Compliance Texas Department of Insurance

SUBSCRIBED AND SWORN TO before me on this 3/8 D day of February, 1995.

STATE OF TEXAS COUNTY OF TRAVIS §

> JOYCE L. RANDALL Notary Public, State of Texas My Commission Expires MARCH 28, 1998

Notary Public, State of Texas

My Commission Expires: 3-28-48