BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE
OF THE STATE OF TENNESSEE

TENNESSEE INSURANCE DIVISION, Petitioner,	)	
vs.	)	Docket No.: 12.01-098295J
WISDOM INC., A Mississippi corporation, FRANK F. CAMP, an individual	)	
Respondents.	)	

SUMMARY ORDER OF SUSPENSION

This Order issues as a result of a Petition and its exhibits attached hereto filed by the Tennessee Insurance Division ("Division") of the Department of Commerce and Insurance and is predicated upon the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Tennessee Insurance Law, as amended, TENN. CODE ANN., Title 56 (the "Law"), places the responsibility for the administration of the Law on the Commissioner of the Department of Commerce and Insurance ("Commissioner"). TENN. CODE ANN. §§ 56-1-202 and 56-6-112. The Division is the lawful agent through which the Commissioner discharges this responsibility.

2. Frank F. Camp ("Camp" or "Respondent") is an insurance producer licensed with the Division under Tennessee Producer License No. 837404. Wisdom, Inc. is a corporation domiciled in Mississippi, owned and operated by Frank F. Camp, which holds a non-resident business entity license with this state numbered 355 and obtained on April 25, 2003. Camp's mailing and home address of record is 3094 Orchid Circle, Tupelo, Mississippi 38801. Wisdom Inc.'s business address of record is 280 South Thomas Street, Tupelo, Mississippi, 38801 and it

at one time maintained an office at 3238 Players Club Circle, Suite 52, Memphis, Tennessee 38125.

3. Prior to the events described herein, Camp held appointment contracts with American Equity Investment Life Insurance Company ("AEIL"), and Allianz Life Insurance Company ("Allianz"). Frank Camp and Wisdom, Inc. had appointments with National Western Life Insurance Company ("NWL") during the time period of the events that are the subject of this order.

4. The Division was first alerted to the misconduct of Camp through two (2) separate consumer complaints received by the Department on January 31, 2006. Based on the information alleged in the complaints, the Division began investigating both Camp and Wisdom, Inc., on or about July 24, 2006. That investigation ended in a letter of warning from the Division, warning the Respondent that if the activity continued, the Division would take action against Camp's license. On March 7, 2007, the Department received another consumer complaint against Camp which resulted in another investigation. The result of the second investigation was the filing of a Petition by the Division on or about June 23, 2008, seeking the revocation of the Respondent's insurance producer license as well as the business entity license of Wisdom, Inc.

5. The Division alleges in the Petition that, among other things, Camp (1) held seminars targeting people aged 60 and older to invest in various annuity products; (2) held himself out, inaccurately, as a certified elder law specialist and at times an estate planning attorney; (3) misrepresented the nature of the products and the lengths of the contracts; (4) and altered the sales contracts to hide the actual contract terms, leaving the consumers with only his representations to rely on when determining the terms of their investments. The Petition further

alleges that Camp later falsely reported on a licensure renewal application form that neither he nor his company had ever had an insurance company appointment terminated.

6. Respondent was mailed a letter dated May 21st, 2008, advising him of the Division's intent to take administrative action against him and Wisdom, Inc. Certified mail receipts with Mr. Camp's signatures verify the letter and a draft version of the Petition, which were sent in accordance with TENN. CODE ANN. § 4-5-320(c), were delivered to Mr. Camp's home address on May 27, 2008 and to his business address on June 6, 2008. Having received no response from the Respondent to its letter, the Division filed the Petition with the Administrative Procedures Division of this state as well as notified the Respondent of the filing on June 23, 2008.

7. On or around July 8th, 2008, NWL alerted the Division to another incident of fraud committed by Respondent. The Division initiated another investigation into Camp's conduct, and requested the relevant documents from Allianz and NWL.

8. On October 16, 2003, Yoe-Yeaner and Floyd Janes, as trustees of Janes Trust, entered into a contract to purchase two Allianz annuity products, policy #70024899 ($52,000 initial premium) and #70024905 ($114,896 initial premium), through Camp. On December 15, 2003, Yoe-Yeaner Janes entered a contract to purchase an Allianz annuity product, policy #70038784 ($76,000 initial premium) through Camp.

9. According to Mrs. Janes, in April, 2008, Respondent began to contact Mrs. Janes to express concerns about the financial state of Allianz. Mrs. Janes stated that on or around April 21, 2008 Respondent made a visit to the Janes' home in order to implore them to move their annuity contracts from Allianz to NWL stressing to them that their money would be lost completely if they failed to act immediately due to the fact that Allianz was in poor financial

condition. At this meeting, Respondent represented to the Janes that NWL would pay back any surrender charges the Janes would accrue by canceling their Allianz annuities. It was discovered from the Division's review of the NWL contract, that this statement was false.

10. On April 21, 2008, the Janes signed authorizations to transfer funds for all three (3) of their Allianz annuities. Also on April 21, 2008, the Janes signed an application as trustees of Janes Trust which listed Yoe-Yeaner as annuitant for policy # 1188367. A second application was signed by Floyd Janes as annuitant for a policy # 1188369, also owned by the Janes trust. Finally, Mrs. Janes signed an application for policy # 101188368 as owner and annuitant.

11. According to Mrs. Janes, after signing these authorizations and applications, the Janes grew suspicious of Respondent and his motives and contacted Allianz by two separate letters dated April 30, 2008 in an effort to stop the transfers. Floyd Janes signed the letter for policy #70024899 because he was the annuitant under that policy, and Yoe-Yeaner Janes signed the letter for policy #70024905 because she was the annuitant under that policy, both owned by the trust. After receiving these two letters, Allianz ceased the transfer the funds to NWL.

12. According to Mrs. Janes, due to an oversight, she failed to address the Allianz policy owned by her, policy #70038784, in the letters sent to Allianz. She realized this mistake after getting an account statement from NWL referring to a policy #0101188368. Mrs. Janes, acting on advice from an Allianz representative, then canceled her NWL policy pursuant to the 20 day free look period by a letter dated June 16, 2008.

13. On July 1st, 2008, NWL received the facsimile of a handwritten letter dated June 30th, 2008, purporting to be signed by Yoe-Yeaner Janes. The substance of this letter stated that Mrs. Janes had decided to keep her policy #0101188368, because she now understood its benefits.

14. Department records show that the telephone number from which the facsimile was sent belongs to Frank C. Camp, father of Respondent, Frank F. Camp.

15. Upon receipt of the above mentioned facsimile, NWL contacted Mrs. Janes to confirm that it had received her June 30 letter, which they attached to the correspondence, and that it considered the letter an acceptance of the NWL policy. Mrs. Janes then contacted NWL and denied ever having written the attached letter and stated that she wished the cancellation to be completed.

16. Mrs. Janes swore in an affidavit that after examining the letter, that she is certain neither the handwriting nor the signature are her own. She further swore that she did not authorize another person to sign and send the letter on her behalf.

17. NWL canceled Respondent's appointment by a letter dated June 30, 2008.

18. Based on the records provided by Allianz, in order to surrender their policies, the Janes' annuitized value would have decreased by approximately $80,000. Had the transfers gone through, NWL would have paid a 10% bonus to Camp, which would have been approximately $23,000. This would have been a loss for the Janes of approximately $57,000.

CONCLUSIONS OF LAW

19. TENN. CODE ANN. § 4-5-320(c) provides that:

> "... If [the] agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. These proceedings shall be promptly instituted and determined."

20. TENN. CODE ANN. § 56-6-112(a) provides, that "[t]he commissioner may place on probation, suspend, revoke or refuse to issue or renew a license issued under this part ... for any one or more of the following causes:

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere; and

. . .

(10) Forging another's name to an application for insurance or to any document related to an insurance transaction".

21. The Findings of Fact, above, if true, evidence the fact that the Respondent's actions have provided grounds to discipline the Respondent's and Wisdom, Inc.'s insurance producer licenses. Specifically, the Respondent's conduct after he received notice of the Division's Petition on June 23, 2008, show that the Respondent, acting on behalf of Wisdom, Inc., engaged in fraudulent and dishonest conduct by forging the signature of Yoe-Yeaner Janes on June 30, 2008, in order to fraudulently effect a sale of insurance. Such conduct, if true, would subject the Respondent and Wisdom, Inc., to sanctions pursuant to TENN. CODE ANN. § §56-6-112(a)(8) and (10).

22. Based on the Findings of Fact above, allowing the Respondent's producer license and Wisdom, Inc.'s business entity license to remain effective pending the outcome of this and the previously filed administrative action would be hazardous to the consumers of Tennessee. The Respondent, through the filing of the Petition by the Division on June 23, 2008, was made aware of the Division's intent to revoke his insurance producer license. Despite being aware of the Division's intent, the Respondent has shown that he intends to continue his dishonest and fraudulent conduct in this state. This intent is evidenced by the forging of Yoe-Yeaner Janes' signature on June 30, 2008, in order to make a sale that was not authorized by Mr. Janes. It is clear that unless the Respondent's ability to sell insurance in this state is immediately suspended, the Respondent will continue to use his license to defraud consumers in this State. As it appears that the Respondent targets the elderly, the need for emergency action is even more evident. For

the above reasons, I conclude that the public health, safety and welfare imperatively require emergency action at this time.

NOW, THEREFORE, in consideration of the foregoing, it is **ORDERED** that:

1. Respondent's and Wisdom, Inc.'s licenses as insurance producers in the State of Tennessee are hereby suspended.

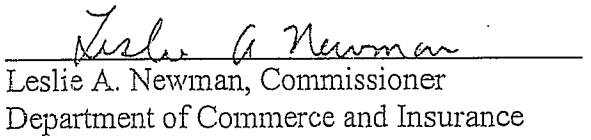
2. If requested by the Respondent or Wisdom, Inc., an informal conference shall be held to discuss the circumstances affecting the public health, safety or welfare which warranted the issuance of this summary suspension order. A date for such informal conference will be set, and the Respondent and Wisdom, Inc., shall be notified of the date when such informal conference may occur should it request one.

3. A hearing date shall be established as to all other matters raised in the Petition, and the Respondent shall be notified of the time, date and place for such hearing.

Entry of this Order shall not in any way restrict the Division or the Commissioner from taking further action with respect to these or other possible violations by Respondent or Wisdom, Inc., of Tennessee Law or any of the Rules promulgated thereunder.

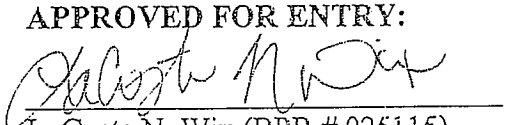
IT IS SO ORDERED.

ENTERED this the 19th day of August, 2008.



Leslie A. Newman, Commissioner
Department of Commerce and Insurance

APPROVED FOR ENTRY:



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