

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF BUSINESS REGULATION
1511 PONTIAC AVENUE, BLDG. 69-2
CRANSTON, RHODE ISLAND 02920**

IN THE MATTER OF:

EDWARD LUPIEN JR.

RESPONDENT.

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DBR No. 10-I-0168

CONSENT ORDER

It is hereby agreed between the Department of Business Regulation (“Department”) and Edward Lupien, Jr. (“Respondent”) as follows:

1. Respondent submitted an application for an insurance producers license to the Department. Respondent submitted certification that he had completed the prelicensing requirements and passed the examinations(s) necessary for licensure.
2. Based upon allegations regarding activities which occurred when Respondent was employed in the office of Christopher Pieranunzi, as detailed in DBR No. 06-I-0038, the Department denied the application.
3. Pursuant to R.I. Gen. Laws § 27-2.4-14(b), Respondent made a timely request for a hearing on the denial.
4. A hearing was held and Respondent testified that at the time of the allegations detailed in DBR No. 06-I-0038, he was working for a licensed insurance producer in an administrative capacity and did not intend to sell, solicit or negotiate insurance. However, the licensed insurance producer was unavailable to assist customers on more than one occasion and, as a result he was forced to assist customers in areas in which he may have needed an insurance producer’s license. He did not understand

that he needed a license for these activities and did not intend to undertake activities for which a license was required. Respondent further testified that his involvement with Mr. Pieranunzi began as a high school intern and by the age of 21 he had terminated all association with the producer.

5. Respondent now understands the responsibilities and requirements for licensure involved in the sale of insurance and pledge that, if licensed, he intends to follow these requirements.
6. John Gilbane testified that Respondent has been working in his insurance agency in an administrative capacity for a number of months and he believes that he will make a good insurance producer. Mr. Gilbane agreed to supervise Respondent should he be granted a probationary license.

WHEREFORE, based on the foregoing, Respondent and the Department have decided to resolve this matter without further administrative proceedings and hereby agree to the following resolution:

1. Respondent will be issued a probationary insurance producer's license premised on the following conditions:
 - a. Respondent will work under the supervision of a licensed insurance producer who has agreed to supervise Respondent.
 - b. John Gilbane, Rhode Island producer number 108907, has agreed to supervise Respondent during this probationary period.
 - c. Should Respondent wish to change employment at any time he shall contact the Department to inform the Department of his plans and obtain the

Department's agreement to the supervision by his proposed substitute employer.

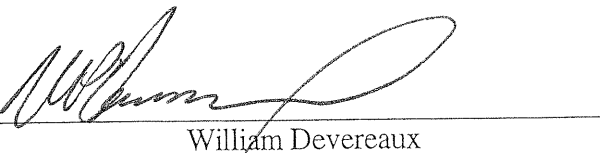
- d. Respondent will comply with all statutes and regulations governing the sale of insurance.
2. Respondent understands that this action shall be reported to the National Association of Insurance Commissioners, State Producer Licensing Database (SPLD) and the Producer Data Base (PDB).
3. If Respondent violates any insurance law or regulation the Department may institute further administrative action including but not limited to 1) suspension, 2) revocation and/or 3) administrative penalties. Respondent shall be provided with notice and an opportunity for hearing should the Department choose to take such further action.

Counsel for the Department and Respondent hereby consent and agree to the foregoing on behalf of their respective clients the 2nd ^{February 2011} day of ~~December~~ 2010.

Department of Business Regulation
By it's Legal Counsel,

Respondent
By his attorney,


Elizabeth Kelleher Dwyer


William Devereaux

I hereby approve of the foregoing Consent Order and recommend its adoption.

Dated 2/3/11


Ellen Balasco
Hearing Officer

I have read the Hearing Officer's Decision and Recommendation in this matter, and I hereby

ADOPT
 REJECT
 MODIFY

the Decision and Recommendation.

Dated: 4 February, 2011



Paul McGreevy
Director

THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF BUSINESS REGULATION PURSUANT TO RHODE ISLAND GENERAL LAWS TITLE 42 CHAPTER 35. AS SUCH, THIS DECISION MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER. SUCH APPEAL, IF TAKEN, MAY BE COMPLETED BY FILING A PETITION FOR REVIEW IN SAID COURT.

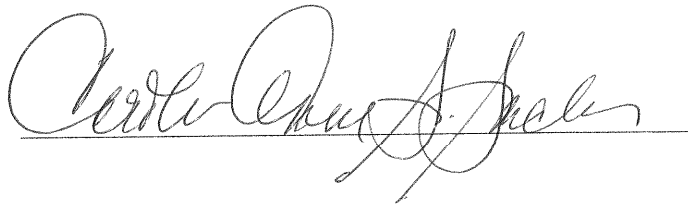
CERTIFICATION

I hereby certify that on this 4th ^{February, 2011} day of ~~December~~, 2010 a copy of this Order was sent by first class mail postage prepaid and certified mail to:

William P. Devereaux, Esq.
Pannone, Lopes, Devereaux & West
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and by electronic mail to:

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Cordell Charles J. Hales