

**BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS**

**IN THE MATTER OF:**

**PIERRE WELLS  
NPN 2051647  
RESPONDENT**

**A.I.D. ORDER NO. 2024- 77**

**REVOCATION ORDER**

On this date, the matter of the insurance producer license of Pierre Wells ("Respondent") came before Alan McClain, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held at 10:00 a.m. on July 31, 2024, in the Diamond Mine Hearing Room on the 2<sup>nd</sup> floor of the Department of Commerce Building. The hearing was held pursuant to a notice of hearing dated June 21, 2024. The hearing was held before Chief Deputy Russ Galbraith ("Hearing Officer") pursuant to his appointment as such by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Arkansas Insurance Department ("Department") was represented by Daniel W. Honey, Counsel. The Respondent did not appear.

**FINDINGS OF FACT**

1. Respondent, Pierre Wells held an Arkansas resident producer license which expired on May 31, 2024.
2. Upon referral from the Arkansas Insurance Department Criminal Investigation Division (CID) an investigation was opened in this matter by the Arkansas Insurance Department (Department) involving activities of Respondent in November of 2023. Pursuant to this investigation Department investigator Sarah Dunbar has attempted to contact Respondent on numerous occasions via registered mail, email, and telephone. As of the date of this Notice of Public Hearing Ms. Dunbar or any other representative of the Department has received any response.

**CONCLUSIONS OF LAW**

1. The responsibility for administration of the Arkansas Insurance Code is assigned to the Arkansas Insurance Commissioner pursuant to Ark. Code Ann. § 23-60-101 *et seq.* The Department is the lawful agency through which the Commissioner administers the Arkansas Insurance Code, and he is authorized to bring this action for the protection of Arkansas consumers.

2. The Arkansas Producer Licensing Model Act, specifically, Ark. Code Ann. § 23-64-501 *et seq.*, governs Respondent's insurance producer license.

3. Ark. Code Ann. § 23-64-512(a) allows the Commissioner to "place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy a civil penalty in accordance with § 23-64-216 or any combination of actions for any one (1) or more of the following causes...(13) Failing to provide a written response after receipt of a written inquiry from the commissioner or his or her representative as to transactions under the license within thirty (30) days after receipt thereof unless the timely written response is knowingly waived in writing by the commissioner; (16) Refusing to be examined or to produce any accounts, records, or files for examination; or (17) Failing to cooperate with the commissioner in an investigation when required by the commissioner. By his failure to respond to numerous attempts at communication as set forth in allegation #2 above Respondent is in clear violation of these said provisions of the Arkansas Insurance Code.

4. Additionally, Ark. Code Ann. §23-64-512(e) states that the commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by this subchapter and the Arkansas Insurance Code against any person who is under investigation for or charged with a violation of this subchapter or the Arkansas Insurance Code, even if the person's license or registration has been revoked, surrendered, or has lapsed by operation of law. Therefore, even though Respondent's producer license has expired as set forth in allegation #1 above, the Department may still take action against his license.

#### RECOMMENDATION OF HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer recommends the following:

That the Arkansas nonresident producer license of Respondent Pierre Wells be REVOKED.



Russ Galbraith  
Hearing Officer

CERTIFICATION

I, Alan McClain, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Russ Galbraith, Hearing Officer, in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that the Arkansas resident insurance producer license of Pierre Wells is REVOKED.

IT IS SO ORDERED THIS 2<sup>nd</sup> DAY OF AUGUST, 2024.

  
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ALAN MCCLAIN  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS