

**STATE OF VERMONT  
DEPARTMENT OF BANKING, INSURANCE, SECURITIES  
AND HEALTH**

In Re: ROY ALLEN GRAY

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DOCKET NO. 12-005-I

**DEFAULT JUDGMENT AND ORDER**

**Findings of Fact**

1. Roy Allen Gray (“Respondent”) whose address of record is 136 N. Gardiner Street, Scottsberg, Indiana 47170, was issued resident producer license No. 382860 by the State of Indiana.
2. Respondent is a licensed non-resident producer in Vermont. Respondent was issued a Vermont non-resident producer license on April 5, 2011, No. 748667, with an expiration date of March 31, 2013.
3. The State of Indiana permanently revoked the respondent’s resident producer license on January 30, 2012.
3. On February 22, 2012, the Insurance Division served upon Respondent the Petition for Revocation of License in this action.
4. Respondent has not filed an answer to date.
5. The Insurance Division filed a Motion for Default Judgment on March 29, 2012 in this matter.

**Conclusions of Law**

6. The Commissioner, pursuant to 8 V.S.A. § 4804(a)(10) has the authority to suspend or revoke a non-resident producer license if, after notice and opportunity for a hearing, the Commissioner finds that the non-resident producer license holder’s license

has been suspended or revoked in any state. Respondent has had his license revoked in resident state of Indiana.

7. Pursuant to 8 V.S.A. § 4804(a)(3), the Commissioner may suspend or revoke a license of any person who violates or fails to comply with any Vermont insurance law.

8. Pursuant to 8 V.S.A. § 15 the Commissioner may issue orders necessary to the administration of and to carry out the purposes of Title 8 of the Vermont Statutes.

9. Respondent, pursuant to Section 5(a) of Regulation 82-1 (Revised) (“Regulation 82-1”), was required to file an answer no later than 30 days after the date of service of the petition in this contested case.

10. Section 12 of Regulation 82-1 provides, that where a Respondent, against whom a pleading initiating a contested case has been properly served, fails to answer within the time period specified in Section 5(a) or fails to defend the charge, the Petitioner may move for a decision by default. The Commissioner may render a decision by default at any time after the passage of ten days from the date of filing and service of the motion for default, whereupon the Commissioner may issue any applicable order.

11. Section 5(b) of Regulation 82-1 provides, that if a Respondent fails to serve an answer timely, the allegations contained in the pleading that initiated the contested case will be treated as proven and a default judgment may be entered as provided in Section 12 of this regulation.

12. Respondent has failed to respond to the Insurance Division’s Motion for Default Judgment and more than ten (10) days have passed since the time of the filing of the motion.

**ORDER**

**IT IS HEREBY ORDERED THAT:**

1. A Default Judgment is entered as against Respondent pursuant to Section 12 of Regulation No. 82-1 and a decision by default is rendered.
2. The non-resident producer license of Roy Allen Gray, No. 748667, is hereby revoked, effective immediately.
3. Respondent shall, pursuant to 8 V.S.A. § 4806, forthwith deliver his license to the Department by personal delivery or by mail.

Dated at Montpelier, Vermont this 20<sup>th</sup> day of April, 2012.



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STEPHEN W. KIMBELL, Commissioner  
Vermont Department OF Financial Regulation,  
formerly the Vermont Department of Banking, Insurance, Securities  
and Health Care Administration