

03026 FILED

JAN 12 2010

Docketed by SS



REPRESENTING  
**ALEX SINK**  
CHIEF FINANCIAL OFFICER  
STATE OF FLORIDA

IN THE MATTER OF:

CASE NO.: 102996-09-AG

CYNTHIA DRUBIN BURDIGE

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ORDER OF SUSPENSION

THIS PROCEEDING CAME on for final agency action and the Chief Financial Officer, having considered the record, including the Administrative Complaint filed on October 6, 2009, and being fully advised in the premises, finds that:

1. CYNTHIA DRUBIN BURDIGE is currently licensed by the Department of Financial Services ("Department"), pursuant to the Florida Insurance Code, as a resident motor vehicle rental agent and a resident travel agent.

2. On October 6, 2009, an Administrative Complaint was issued against CYNTHIA DRUBIN BURDIGE alleging that she aided and abetted unauthorized insurers, Prime Travel Protection, Inc. and Ciela Capital Insurance Company, Ltd.

3. CYNTHIA DRUBIN BURDIGE was notified in the Administrative Complaint of the right to request a proceeding in accordance with Sections 120.569 and 120.57, Florida Statutes, and that failure to answer the Administrative Complaint or request a proceeding within twenty-one (21) days would result in the imposition of a penalty.

4. In accordance with Section 120.60(5), Florida Statutes, the Administrative Complaint was served upon CYNTHIA DRUBIN BURDIGE by certified mail, restricted delivery, on October 13, 2009.

5. CYNTHIA DRUBIN BURDIGE failed to timely answer the Administrative Complaint and failed to timely request a proceeding in accordance with Sections 120.569 and 120.57, Florida Statutes.

FINDINGS OF FACT

6. The factual allegations contained in the Administrative Complaint filed on October 6, 2009, which is attached hereto as "Exhibit A", and fully incorporated herein by reference, are hereby adopted as this Department's Findings of Fact in this case.

CONCLUSION OF LAW

7. Based upon the Findings of Fact adopted herein, the Department concludes that CYNTHIA DRUBIN BURDIGE violated the specific statutes and rules charged in each count of the Administrative Complaint, attached hereto as "Exhibit A", and hereby adopts the violations charged in each count of the Administrative Complaint as the Conclusions of Law in this case.

PENALTY IMPOSED

8. The failure of CYNTHIA DRUBIN BURDIGE to answer the Administrative Complaint or request a proceeding, taken together with the Findings of Fact and Conclusions of Law adopted herein, constitute grounds for the Chief Financial Officer to suspend the license of CYNTHIA DRUBIN BURDIGE.

IT IS THEREFORE ORDERED that:

(a) All licenses, appointments and eligibility for licensure heretofore issued to CYNTHIA DRUBIN BURDIGE, within the purview of the Department, are hereby SUSPENDED for a period of six (6) months.

(b) During the period of suspension, CYNTHIA DRUBIN BURDIGE shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm.

(c) CYNTHIA DRUBIN BURDIGE shall not have the right to apply for and the Department shall not grant another license or appointment under the Florida Insurance Code for six (6) months following the effective date of suspension.

(d) Following the six (6) month suspension, CYNTHIA DRUBIN BURDIGE shall be entitled to file for an application for reinstatement of licensure. However, the license of CYNTHIA DRUBIN BURDIGE shall not be reinstated if the circumstance or circumstances for which the license was suspended still exist or are likely to recur, or if CYNTHIA DRUBIN BURDIGE is not otherwise eligible for licensure.

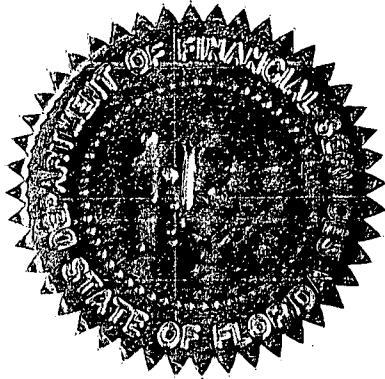
(e) CYNTHIA DRUBIN BURDIGE shall return to the Department of Financial Services, Bureau of Licensing, Attention: Don Powers, 200 East Gaines Street, Tallahassee, Florida 32399-0319, within ten (10) calendar days of the issuance of this order, all licenses issued to CYNTHIA DRUBIN BURDIGE pursuant to the Florida Insurance Code.

(f) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license(s) is suspended or revoked, commits a felony of the third degree.

NOTICE OF RIGHT TO APPEAL

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with Tracey Beal, DFS Agency Clerk, at 612 Larson Building, Tallahassee, Florida 32399-0390, and a copy of the same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

DONE and ORDERED this 12<sup>th</sup> day of January, 2009.



TAMMY TESTON  
Deputy Chief Financial Officer

Copies Furnished To:

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