

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In Re: Michael Keith Arbo

INS No. 11-025-EP

MOTION TO CONTINUE ADJUDICATIVE HEARING

The New Hampshire Insurance Department (“NHID”) moves that the adjudicative hearing presently scheduled in this matter for January 11, 2012 be continued. In support of this Motion, the NHID states as follows:

1. The NHID issued an Order to Show Cause and Notice of Hearing against Michael Arbo (“Respondent”), on December 14, 2011. The Order and Notice were mailed to Respondent’s business address as listed in official NHID records. Every licensed insurance producer is required to notify the NHID whenever there is a change in address. There were two (2) mailings, one by certified mail return receipt requested and one by regular mail. Both letters were returned to the NHID with the notations “Return To Sender, Moved Left No Address, Unable To Forward.” Respondent thus failed to provide the NHID with an updated mailing address as required by statute.
2. Since those mailings in December, the NHID reasonably believes that it may have discovered another address for the Respondent.
3. The allegations in the Order to Show Cause, if proven, could provide the basis for Respondent’s insurance producer’s license to be suspended or revoked as well as the possibility of an administrative fine. Consequently, the NHID wants to provide Respondent with every reasonable opportunity to respond and defend himself as to those allegations.

4. Based on the above reasons, the NHID requests that the Hearing Officer continue the hearing presently scheduled for January 11, 2012. In order to afford the NHID sufficient time to establish contact with the Respondent and perhaps negotiate a settlement with Respondent, the NHID requests that the hearing be rescheduled for a date after February 15, 2012

5. The NHID further requests that it be granted leave to amend the Order to Show Cause and Notice of Hearing as facts and circumstances may dictate.

6. The Department has no reason to believe that New Hampshire consumers whom we protect will be prejudiced by a continuance of the hearing.

7. Because the NHID has been, to date, unable to locate the Respondent, the NHID cannot state whether or not the Respondent assents to the relief requested herein.

WHEREFORE, the NHID requests that the Hearing Officer:

- A. Grant this Motion;
- B. Order that the adjudicative hearing presently scheduled for January 11, 2012 be continued;
- C. Order that the adjudicative hearing presently scheduled for January 11, 2012 be rescheduled for a date after February 15, 2012 at the offices of the New Hampshire Insurance Department in Concord, New Hampshire; and
- D. Grant the NHID leave to amend the Order to Show Cause and Notice of Hearing as facts and circumstance may dictate.

Date: 1/9/12



Donald Belanger
Staff Advocate

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion to Continue has been sent to the Respondent, Michael K. Arbo by first-class mail, postage prepaid, to the address on file with the NHID's Producer Licensing Division, as well as to the address where the NHID believes the Respondent is now residing.

Date 1/9/12

Donald Belanger
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