

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

Docket No.: INS. No. 10-026-EP

**CEASE AND DESIST ORDER**

In Re:

American Trade Association, Beema-Pakistan Company Limited, Smart Data Solutions, LLC, Serve America Assurance, Ltd., Bart Posey, Richard Bachman, William Worthy and Obed Kirkpatrick

1. The Commissioner of the New Hampshire Insurance Department, pursuant to his authority under RSA 400-A:3, orders the Respondents, American Trade Association, Beema-Pakistan Company Limited, Smart Data Solutions, Serve America Assurance, Ltd., Bart Posey, Richard Bachman, William Worthy, Obed Kirkpatrick, and Walter Cecchini to immediately cease and desist the conduct of any and all activities in the State of New Hampshire. The Respondents are hereby notified that a hearing will be conducted on April 26, 2010 at 9:00 a.m. at the offices of the New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire.

2. Respondent American Trade Association (“ATA”) is a corporation formed under the laws of Indiana and has its principal place of business in Springfield, Tennessee. ATA is also an Arkansas limited liability company.

3. Respondent Beema-Pakistan Company Limited (“Beema”), upon information and belief, is a foreign corporation with a principal place of business in Karachi, Pakistan.

4. Respondent Serve America Assurance, Ltd. (“Serve America”) is a Bermuda corporation and a captive insurance company wholly owned by Beema.

5. Respondent Smart Data Solutions (“SDS”) is a Tennessee limited liability company with a principal place of business in Springfield, Tennessee.

6. Respondents Bart Posey, Richard Bachman and Obed Kirkpatrick are officers of ATA and SDS

7. Respondent William Worthy is an officer of Serve America and was once an officer of the association known as ATA.

8. The Respondents acted in concert to market and sell health insurance to at least three New Hampshire consumers.

9. The Respondents marketed their products through unsolicited fax blasts, internet websites and other means to New Hampshire consumers. Respondents marketed their products in a manner that deceived New Hampshire consumers into believing the products constituted major medical or comprehensive health insurance when, in fact, they did not. Respondents collected premiums from New Hampshire consumers through direct withdrawals.

10. None of the Respondents are licensed insurance producers in New Hampshire. None of the Respondents are licensed administrators in New Hampshire. None of the Respondents are otherwise authorized to transact insurance business in New Hampshire

11. The Respondents engaged in the “insurance business” in New Hampshire as that term is defined in RSA 406-B:2. By acting as insurers and otherwise transacting insurance business in New Hampshire without a license or other authorization, the Respondents violated of RSA 406-B:3.

12. The Respondents sold, solicited and negotiated insurance in New Hampshire. By selling, soliciting and negotiating insurance without a license in New Hampshire, the Respondents violated RSA 402-J:3.

13. The Respondents, in violation of the New Hampshire Unfair Insurance Trade Practices Act, specifically RSA 417:4, I (f, g, h), relied on misrepresentations, deceit and fraud to induce New Hampshire consumers to purchase their products. New Hampshire consumers have been severely harmed as result of the Respondents' misrepresentations, deceit and fraud.

14. The NHID requests penalties pursuant to RSA 400-A:15, III and RSA 406-B:12.

15. The Commissioner of Insurance or his representative shall act as Hearing Officer at the hearing.

16. Richard P. McCaffrey shall appear as staff advocate representing the interests of the NHID.

17. Each Respondent has the right to be represented by counsel at his expense. Should a Respondent elect to obtain counsel, Respondent's counsel shall file a notice of appearance with the Commissioner at the earliest possible date.

18. Respondents have the right to have the NHID provide a certified shorthand reporter at the Respondent's expense. Requests for certified shorthand reports must be filed with the NHID at the earliest possible date.

**SO ORDERED.**

Date: 4-15-10

NEW HAMPSHIRE INSURANCE  
DEPARTMENT

  
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Roger A. Sevigny, Commissioner  
New Hampshire Insurance Department  
21 South Fruit Street, Suite 14  
Concord, NH 03301  
Tel: (603) 271-2261

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing Cease and Desist Order has been served upon the above-captioned Respondents by United States first class mail, postage prepaid, this 15 day of April, 2010.

American Trade Association  
4676 Hwy 41 N.  
Springfield, TN 37172

Smart Data Solutions, LLC  
4676 Hwy 41 N.  
Springfield, TN 37172

Richard Bachman  
c/oSmart Data Solutions, LLC  
4676 Hwy 41 N.  
Springfield, TN 37172

Richard Bachman  
1600 Magpie Cove  
Austin, TX 78746

Serve America Assurance, Ltd.  
412-427 Muhammadi House, I.I.  
Chendrigar Road  
Karachi, Pakistan 74000

William Worthy, President  
Service America Assurance, Ltd.  
117 Winding Oak Way  
Blythewood, SC 29016

William Worthy  
44 Morgan Place Dr.  
Isle of Palms, SC 29451

Bart Posey  
4676 Hwy 41 N.  
Springfield, TN 37172

Bart Posey  
3448 Forest Park Road

Springfield, NT 37172

Beema-Pakista Company, Ltd.  
412-427 Muhammadi House  
I.I. Chundrigar Road, P.O. Box 5626  
Karachi, Pakistan 74000

Obed Kirkpatrick  
4676 Highway 41 North  
Springfield, TN 37172

Obed Kirkpatrick  
1075 Rocking Chair Place  
Franklin, TN 37067

NEW HAMPSHIRE INSURANCE  
DEPARTMENT

Date: \_\_\_\_\_

4-15-10

  
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