

STATE OF OHIO
DEPARTMENT OF INSURANCE
2100 Stella Court
Columbus, Ohio 43215-1067

IN RE: :
 :
DUANE R. SHINABERRY : ORDER TO CEASE AND DESIST
 : AND NOTICE OF HEARING
 :

WHEREAS, the Ohio Department of Insurance ("Department") is charged with the responsibility of protecting insurance consumers and regulating the insurance industry pursuant to Title 39 of the Ohio Revised Code ("R.C.") and the rules and regulations adopted thereunder.

WHEREAS, upon investigation, the Superintendent has been advised that Duane R. Shinaberry ("Shinaberry") has committed an unfair trade act or practice in the business of insurance by soliciting and selling health insurance from an unlicensed and unauthorized entity(-ies) that engaged in the business of insurance or provided health care benefits or coverage in the State of Ohio. Shinaberry's conduct has caused substantial and material harm. The grounds are alleged below.

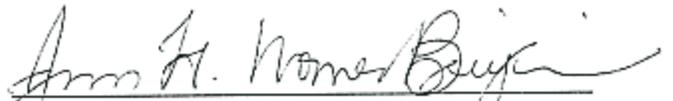
1. The last known operating address for Shinaberry is 11 West High Street, Mt. Gilead, Ohio;
2. Insurance coverage was solicited and sold by Shinaberry, a licensed insurance agent in the State of Ohio;
3. In April of 2001, Duane Shinaberry negotiated, solicited and/or sold health insurance benefits or coverage to Leroy and Bonnie Litt;
4. The health insurance benefits or coverage was sold through an unlicensed and unauthorized entity(-ies) called TRG Marketing, LLC, but possibly operating as TRG Administration or TRG Health Plan ("TRG");
5. Mr. and Mrs. Litt believed that they were insured by TRG based on Shinaberry's representations and they relied on that belief;
6. TRG is not licensed as a health insurance company, a MEWA, and/or an insurance company authorized to do business in the State of Ohio;
7. During the period between April of 2001 through November of 2001, the period of alleged coverage by TRG, Mr. and Mrs. Litt paid approximately four thousand four hundred dollars (\$4,400.00) in health care premiums;
8. During the period between April of 2001 through November of 2001, the period of alleged coverage by the TRG, Mr. and Mrs. Litt incurred medical bills totaling approximately two thousand three hundred five dollars (\$2,305.00); and,
9. As of today's date, TRG has not paid Mr. and Mrs. Litt's claims.

Shinaberry has thereby engaged in unfair and deceptive acts and is in violation of R.C. 3901.20 as defined in R.C. 3901.21(A) and/or (B). Moreover, such conduct is prohibited by former R.C. 3905.49(B)(8).

PURSUANT TO R.C. 3901.221 AND FORMER R.C. 3905.49(G), SHINABERRY IS HEREBY ORDERED TO IMMEDIATELY CEASE AND DESIST FROM THE ABOVE DESCRIBED INSURANCE ACTIVITIES unless and until he complies with the statutes and rules listed above. A hearing to determine the continuation or revocation of this Order, along with any other remedies available under R.C. 3901.221 and/or R.C. 3905.49(G), shall be held at 10:00 a.m. on April 4, 2003 at the Ohio Department of Insurance, 2100 Stella Court, Columbus, Ohio 43215-1067.

Date

3/21/03


ANN H. WOMER BENJAMIN
SUPERINTENDENT OF INSURANCE