

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF INSURANCE, SECURITIES AND BANKING
810 First Street, N.E., Suite 701
Washington, D.C. 20002**

In the Matter of)	
)	
District of Columbia Department of Insurance, Securities and Banking)	
Petitioner)	
)	IB-SC-06-08
v.)	(Consolidated Action)
)	
Brittian P. Day)	
and)	
A & D Insurance Agency, Inc.)	
Respondent)	

DEFAULT DECISION AND ORDER OF REVOCATION

The Hearing Officer enters a default decision and order of revocation against Respondent, Brittian P. Day and A&D Insurance Agency, Inc. based upon the following facts:

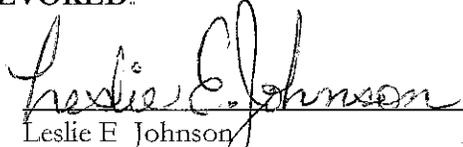
1. Respondent Brittian Day is licensed as a non-resident producer authorized to transact insurance business in the District of Columbia and A&D Insurance Agency, Inc. is licensed as an agency in the District of Columbia.
2. Respondent's non-resident producer license number is 0115090 and the agency license number is 9900807
3. A Notice of Show Cause was sent to Respondent on September 6, 2006 informing him of the charges against him
4. Violation I of the Department's Show Cause Notice alleged that Respondent in the conduct of his affairs under the non-resident producer license No. 0115090, and the agency license No. 9900807, violated D.C. Official Code § 31-1131.12(a)(6) whereby the licensee is found to have been "convicted of a felony". Specification I states that: "Pursuant to a copy of the Judgment rendered by the Honorable Paul L. Friedman, a certified copy of which was obtained by the Department, on April 20, 2005, Mr. Day was found guilty by jury trial on six counts of Mail Fraud, 18 U.S.C. § 1341, ten counts of Wire Fraud, 18 U.S.C. § 1343, five counts of Theft or Embezzlement from Pension and Welfare Funds, and one count of Insurance Fraud in the First Degree, D.C. Official Code §§ 3221(a) and 3222(a)(2). Mr. Day was sentenced on April 6, 2006 to a term of one hundred eight (108) months on the

Mail and Wire Fraud counts, sixty (60) months on the Theft or Embezzlement from Pension and Welfare Fund counts and twenty-four (24) months on the Insurance Fraud in the First Degree count. The sentences were ordered to run concurrently. As a part of the Judgment, Mr. Day was ordered to pay an assessment of \$2,200.00 and restitution in the amount of \$1,500.00.

5. The Department of Insurance, Securities and Banking sent, via certified mail signed by Adam H. Levi, Assistant Attorney General dated September 6, 2007, Notice to Show Cause and Official Notice of Hearing IB-SC-06-08 (Consolidated Action), to Respondent Brittan P. Day and A & D Insurance Agency, 4815 43rd Street, N.W., Washington, D.C., Respondent's last known address of record.
6. The Notice of Show Cause sent to Respondent, directed him to appear before the Department of Insurance, Securities and Banking, Suite 701, 810 First Street, N.E. in Washington, D.C., on October 12, 2006 at 10:00 a.m.
7. After notice was duly given, a public hearing was held for the purpose of determining whether the license of Brittan Day and A & D Insurance Agency, Inc. should be revoked.
9. The Respondent failed to appear at the Show Cause Hearing or have a representative appear on his behalf.

ORDER

Based upon the record and the foregoing facts, **IT IS HEREBY ORDERED** that a **DEFAULT DECISION IS ENTERED** against the Respondent for failing to appear. **IT IS FURTHER ORDERED THAT** Respondent's non-resident producer's license No. 0115090 and agency license No. 9900807 are **REVOKED**.

 7/13/07

Leslie E. Johnson Date
Hearing Officer
Department of Insurance, Securities and Banking

 7/13/2007

APPROVED Date
Thomas E. Hampton
Commissioner
Department of Insurance, Securities and Banking