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UTAH STATE  
INSURANCE DEPT.

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**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENTS:**

JULIO A. BRICENO  
License No. 206529  
BRICENO INSURANCE AGENCY  
License No. 278362  
8813 S. Redwood Rd., Unit D2  
West Jordan, UT 84088

**STIPULATION  
&  
ORDER**

**Docket No. 2010-077-LC**

Enf. Case No. 2546

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**STIPULATION**

1. Respondent Julio A. Briceno ("Briceno"), is a licensed individual resident insurance producer in the State of Utah, License No. 206529.
2. Respondent Briceno Insurance Agency ("the Agency"), is a resident insurance producer in the State of Utah, License No. 278362, and is owned by Respondent Briceno, who is designated on the Agency's license.
3. Respondents stipulate with the Complainant, Utah Insurance Department, as follows:
  - a. If a hearing were held, witnesses called by the Complainant could offer and

introduce evidence that would support the Findings of Fact herein;

b. Respondents admit the Findings of Fact and Conclusions made therefrom;

c. Respondents stipulate to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondents and Complainant have negotiated the terms of the Order entered herein and Respondents agree to its entry and further agree to be bound by all its terms.

3. Respondents are aware of their right to a hearing at which they may be represented by counsel, present evidence and cross-examine witnesses. Respondents have irrevocably waived their right to such hearing and to any appeal related thereto.

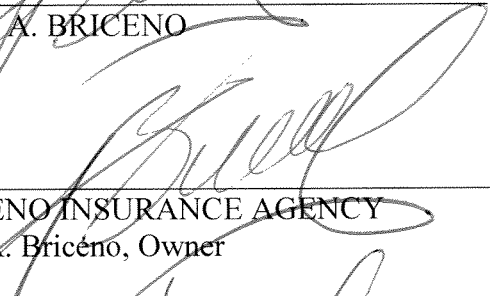
4. Respondents admit the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondents are acting herein free from any duress or coercion of any kind or nature, having been advised fully as to their rights set forth herein.

6. Respondents acknowledge that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 26<sup>th</sup> day of July, 2010.

  
\_\_\_\_\_  
JULIO A. BRICENO

  
\_\_\_\_\_  
BRICENO INSURANCE AGENCY  
Julio A. Briceno, Owner

  
\_\_\_\_\_  
UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. During September 2007, Respondent Briceno submitted at least 37 applications for policies of life insurance on residents of the State of Utah to insurers that are a part of the Farmers Insurance Group.

2. The purported applicants did not complete these applications or even know of the applications being submitted on their lives.

3. Respondent Briceno forged the signatures of the applicants on the applications, intending to deceive the insurers in regard to the true nature of these applications for the purpose of meeting production quotas.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

**CONCLUSIONS OF LAW**

1. Respondent Briceno's actions were in violation of Utah Code Annotated §§ 31A-23a-402(1)(a)(i), making a communication that contains false or misleading information relating to an insurance policy, and demonstrates that he fails to meet the character requirements to hold an insurance producer's license under Utah Code Annotated § 31A-23a-107(2) of being competent and trustworthy.

2. Pursuant to Utah Code Annotated § 31a-23a-302(7), the actions of Respondent Briceno were also the actions of the Agency.

3. The Respondents' insurance licenses should be revoked pursuant to Utah Code Annotated § 31a-23a-111(5)(b)(i), is unqualified for a license; -111(5)(b)(ii)(A), has violated an insurance statute; -111(5)(b)(xvi), in the conduct of business uses fraudulent or dishonest practices or demonstrates untrustworthiness; -111(5)(b)(xviii), forges another's name to an application for insurance; and -111(5)(b)(xxiv), engages in methods or practices in the conduct of business that endangers the legitimate interests of his customers and the public.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

### **ORDER**

IT IS HEREBY ORDERED:

1. The insurance licenses of Respondents Julio A. Briceno and Briceno Insurance Agency are revoked forthwith.
2. Respondents shall immediately cease doing any insurance business in the State of Utah.

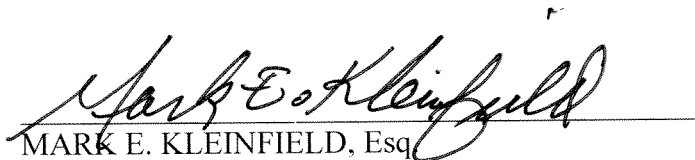
### **NOTIFICATION**

Respondents are hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 27<sup>th</sup> day of JULY, 2010.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

A handwritten signature in cursive script, reading "Mark E. Kleinfeld", is written over a horizontal line.

MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

## CERTIFICATE OF MAILING

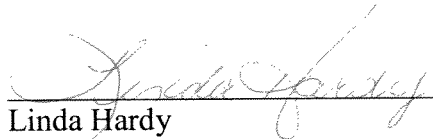
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

### STIPULATION & ORDER

To the following:

Julio A. Briceno  
Briceno Insurance Agency  
8813 S. Redwood Rd., Unite D2  
West Jordan, Utah 84088

DATED this 27<sup>th</sup> day July, 2010

  
\_\_\_\_\_  
Linda Hardy  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901