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

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

JAMES LEE YUREK  
1880 Bond Street  
Green Bay, WI 54303  
License No. 322963

**MOTION TO DISMISS  
ADMINISTRATIVE ACTION  
AND  
ORDER**

**Docket No. 2010-115-LC**

**Enf. Case No. 2705**


**MOTION**

Comes now, M. Gale Lemmon, Assistant Attorney General, attorney for Complainant, and hereby moves for dismissal of the above captioned administrative action on the following grounds:

1. Respondent has submitted an Agreement for Surrender of License in Lieu of Administrative Action which has been accepted by the Commissioner. A copy of which is attached hereto as Exhibit A.

2. This action should be dismissed in the interests of justice.

DATED this 11<sup>th</sup> day of August, 2010.

  
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UTAH INSURANCE DEPARTMENT  
M. Gale Lemmon  
Assistant Attorney General

**ORDER**

Based upon the motion of counsel, and good cause otherwise appearing, it is

**HEREBY ORDERED:**

1. The Order previously entered in this matter dated July 13, 2010, is hereby vacated and the administrative action is hereby dismissed.

DATED this 12<sup>th</sup> day of August, 2010.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

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

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



Neal T. Gooch  
Insurance Commissioner  
Utah Insurance Department

Gary R. Herbert  
Governor

**AGREEMENT FOR SURRENDER OF LICENSE IN LIEU OF ADMINISTRATIVE ACTION**

The parties to this agreement are The Utah Insurance Commissioner (“Commissioner”) and James Lee Yurek (“Licensee”).

This agreement is entered into and is effective on the date herein noted below.

WHEREAS, the Utah Insurance Department (“Department”) has commenced an investigation of the Licensee for alleged violation(s) of the Utah Insurance Code, Department rules and/or an order of the Commissioner, and

WHEREAS, the alleged violation(s) would have resulted in an administrative action being taken against the Licensee, and

WHEREAS, if proven, the alleged violation(s) would **not** have resulted in the revocation of the license(s) of the Licensee, but would have resulted in other administrative sanctions being imposed, and

WHEREAS, the Licensee desires to surrender its insurance license(s) rather than have an administrative action taken against the Licensee by the Department,

**IT IS HEREBY AGREED:**

1. The Licensee hereby surrenders its Utah insurance license(s) to the Commissioner who hereby accepts the surrender of the Licensee’s license(s) effective as of the date of this agreement.
2. This surrender is in lieu of any administrative action that may have been taken against the Licensee for any violations of the Utah Insurance Code, Department rules, or an order of the Commissioner now known to the department.
3. This agreement, along with the allegations relating thereto, is reportable to the National Association of Insurance Commissioners (NAIC) and any other entity requesting information on the Licensee by the Department. Further, the Licensee agrees to provide

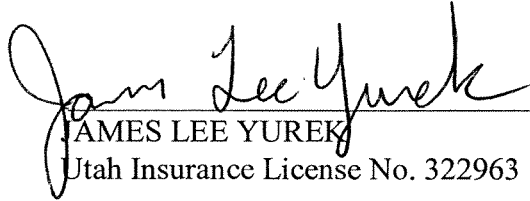
Exhibit A

information regarding this agreement to any insurance department in the United States or any of its territories when applying for an insurance license or any renewal thereof or to any insurer inquiring if any insurance department has taken action against the license of the Licensee.

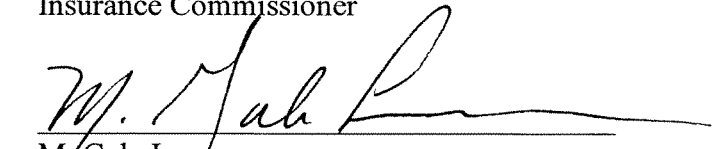
4. The Licensee may not apply for any insurance license in the State of Utah within 5 years of the date of this agreement, unless specific written permission has been received from the Commissioner.

DATED this 6<sup>th</sup> day of AUGUST, 2010.

LICENSEE SIGNATURE

  
JAMES LEE YUREK  
Utah Insurance License No. 322963

NEAL T. GOOCH  
Insurance Commissioner

  
M. Gale Lemmon  
Assistant Attorney General

Licenses Surrendered:

Type:

License No.:

Non-resident individual producer      322963

CERTIFICATE OF MAILING

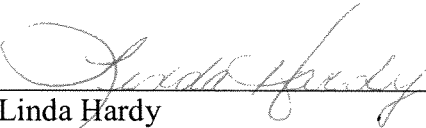
I do hereby certify that on this date mailed, by regular mail, postage prepaid a true and correct copy of the attached:

MOTION TO DISMISS  
ORDER TO SHOW CAUSE  
&  
ORDER

To the following:

James Lee Yurek  
1880 Bond Street  
Green Bay, WI 54303

DATED this 12<sup>th</sup> day of August, 2010



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