

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

VESSEL ASSURANCE CO-OP

P.O. Box 732169
Puyallup, WA 98373
Unlicensed

GLOBAL HEALINGS SOCIETY

P.O. Box 732169
Puyallup, WA 98373
Unlicensed

JOSEPH MICHAEL GARDINIER

15407 246TH St. E.
Graham, WA 98338
Unlicensed

CEASE AND DESIST ORDER

Docket No. 2007-090 PC

E-Case No. 2044

COMES NOW, D. Kent Michie, Insurance Commissioner of the State of Utah, and in support of the following states:

JURISDICTION

D. Kent Michie is the Insurance Commissioner of the State of Utah and is charged with the duty of administering and enforcing all provisions of the Utah Insurance Code, pursuant to Utah Code Annotated, (U.C.A.) §§ 31A-2-201 and 31A-1-105(2).

Based upon information in the files of the Insurance Department the Commissioner enters the following:

FINDINGS OF FACT

1. Respondents, Vessel Assurance Co-op and Global Healings Society are located and doing business from the State of Washington and are not registered with the Washington Secretary of State. Neither Vessel Assurance Co-op nor Global Healings Society are authorized to do the business of insurance in the State of Utah or in any other state or territory of the United States of America.

2. Respondent Joseph Michael Gardinier (“Gardinier”) is an individual residing in the State of Washington and is the owner and operator of Respondents Vessel Assurance Co-op and Global Healings Society. Respondent Gardinier is not licensed to do an insurance business in the State of Utah.

3. On or about February 16, 2007, Respondents solicited via the Internet and sold and caused to be delivered to a resident of the State of Utah a “Proof of Coverage” document purporting to be evidence of compliance with the Utah Automobile Financial Responsibility Law and purporting to provide liability, personal injury, collision and automobile comprehensive coverage.

4. In about March of 2007, the Utah resident had an automobile accident and submitted a claim to Respondents and Respondents failed and refused to honor the claim and provide coverage for the Utah resident that had purchased their coverage.

Based upon the above Findings of Fact the Commissioner enters the following:

CONCLUSIONS OF LAW

1. In soliciting, selling and providing or purporting to provide Utah Automobile Financial Responsibility, liability, personal injury, collision, and automobile comprehensive coverage to residents of the State of Utah, Respondents are doing the business of insurance under Utah Code Annotated § 31A-1-301(84).

2. In doing an insurance business in the State of Utah when not authorized or licensed to do so, Respondents have violated Utah Code Annotated §§ 31A-1-104 and 31A-4-102.

3. In marketing unauthorized insurance in the State of Utah, Respondents' actions constitute an immediate and significant danger to the public welfare justifying the issuance of an emergency order under Utah Code Annotated § 63-46b-20.

Based upon the Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

ORDER

IT IS HEREBY ORDERED:

1. Respondents, and any of their officers, directors, managers, affiliates, agents, sub-agents, employees and all persons participating with them or acting in concert with them, whether in their own names or other names or entities, shall immediately Cease and Desist advertising, soliciting, selling or providing insurance to residents of the State of Utah, until such time as Respondents shall obtain a certificate of authority in the State of Utah to act as an insurer in this State.

NOTIFICATION

Respondents are hereby notified that failure to abide by the terms of this Order may

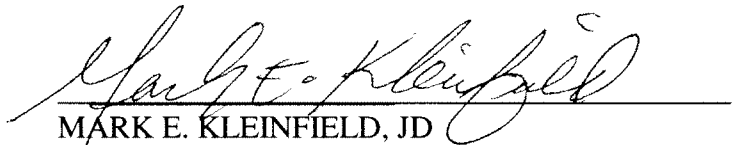
subject them to penalties, including forfeitures of up to \$5,000.00 per violation, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

Respondents are further notified that pursuant to Utah Code Annotated § 31A-15-105, they and any person assisting them in the placement of unauthorized insurance is personally liable for payment of any claims under the unauthorized insurance.

Respondents are further notified that any person knowingly and intentionally providing unauthorized insurance in the State of Utah is guilty of a felony pursuant to Utah Code Annotated § 31A-2-308(10).

DATED this 7th day of September, 2007.

D. KENT MICHIE
INSURANCE COMMISSIONER



MARK E. KLEINFELD, JD
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 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:

CEASE AND DESIST ORDER

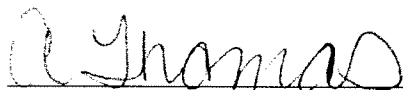
To the following:

Vessel Assurance
P.O. Box 732169
Puyallup, WA 98373

Global Healings Society
P.O. Box 732169
Puyallup, WA 98373

Joseph Michael Gardinier
15407 246th St. E.
Graham, WA 98338

DATED this 6th day of September, 2007.



Angie Thomas Court Clerk
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901