

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

RECEIVED
MAR 04 2009
UTAH STATE
INSURANCE DEPT.

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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

ESSEX NATIONAL SECURITIES, INC.
550 Gateway Drive, Suite 210
Napa, CA 94558
License No. 249735

**STIPULATION
&
ORDER**

Docket No. 2009-030 PC

Enf. Case No. 2273

STIPULATION

1. Respondent, Essex National Securities, Inc., is a licensed non-resident insurance agency in the State of Utah, holding License No. 249735.
2. Respondent stipulates 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. Respondent admits the Findings of Fact and Conclusions made therefrom;
 - c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

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

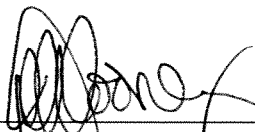
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

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

DATED this 26th day of February, 2009.



ESSEX NATIONAL SECURITIES, INC.
John M. Cooney, Managing Director
Chief Compliance Officer



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. On or about April 19, 2007, Respondent was assessed a forfeiture in the amount of \$1,000.00 by the State of Louisiana for failing to disclose other state's action on it license application in Louisiana.
2. Respondent failed to notify the department within 30 days of the final disposition of the action in Louisiana.

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

CONCLUSIONS OF LAW

1. In failing to notify the department of another state's action within 30 days of the final disposition of the action, Respondent violated Utah Code Annotated § 31A-23a-105(2).

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. Respondent is assessed an administrative forfeiture in the amount of \$750.00, to be paid within 30 days of the date of this Order.

NOTIFICATION

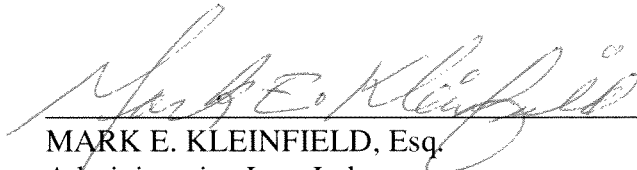
Respondent is hereby notified that failure to abide by the terms of this Order may subject

it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, 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 9th day of March, 2009.

D. KENT MICHIE
INSURANCE COMMISSIONER



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

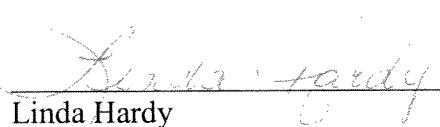
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Essex National Securities, Inc.
550 Gateway Drive, Suite 210
Napa, CA 94558

DATED this 9th day of March, 2009.



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

UTAH
Invoice - Original

Printed Date: March 09, 2009
Invoice Date: March 09, 2009
Balance Due: \$750.00
Due Date: April 02, 2009
Invoice ID: 406187
Payor ID: 16092

ESSEX NATIONAL SECURITIES INC
550 GATEWAY DRIVE
SUITE 210
NAPA CA 94558

| Item Description | Amount |
|--------------------------------------------------------------------|-----------------|
| 3/9/2009 Monetary Penalty Agency E-Case 2273 Docket 2009-030 PC | \$750.00 |
| Original Amount Due | \$750.00 |

UTAH
Invoice - Original

Invoice Date: March 09, 2009
Balance Due: \$750.00
Due Date: April 02, 2009
Invoice ID: 406187
Payor ID: 16092
Payor Name: ESSEX NATIONAL
SECURITIES INC

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901