

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:**

ECU, LLC  
aka, EAST COAST UNDERWRITERS, LLC  
P.O. Box 2468  
Spartanburg, SC 29306  
License No. 283644

**STIPULATION  
&  
ORDER**

Docket No. 2009-004 PC

Enf. Case No. 2275

RECEIVED  
JAN 05 2008

UTAH STATE  
INSURANCE DEPT

**STIPULATION**

1. Respondent, ECU, LLC, is a licensed insurance agency in the State of Utah, holding License No. 283644. Respondent is also known as and licensed in other states as East Coast Underwriters, LLC.

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.

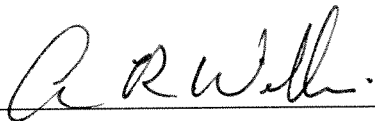
3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.


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 29 day of December, 2008.

  
\_\_\_\_\_  
ECU, LLC  
Aaron Wilkie, Manager

  
\_\_\_\_\_  
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 June 18, 2008, the State of Florida Department of Financial Services took administrative action against the Respondent for failure to timely file its license application in that State, assessing it an administrative penalty in the amount of \$1,000.00.
2. Respondent failed to notify the commissioner of the Utah Insurance Department of the action in the State of Florida within 30 days of its occurrence.

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 commissioner within 30 days of an administrative action taken against it in another state within 30 days of that 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.

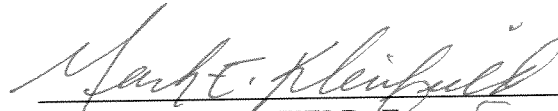
**NOTIFICATION**

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 14<sup>th</sup> day of January, 2008<sup>9</sup>.

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

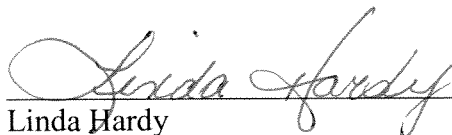
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

ECU, LLC aka East Coast Underwriters, LLC  
P.O. Box 2468  
Startanburg, SC, 29306

DATED this 14<sup>th</sup> day of January, 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: January 14, 2009  
Invoice Date: January 14, 2009  
Balance Due: \$750.00  
Due Date: February 07, 2009  
Invoice ID: 402023  
Payor ID: 157754

ECU LLC  
P O BOX 2468  
SPARTANBURG SC 29304

| <b>Item Description</b>  | <b>Amount</b>  |
|--|----------------|
| 1/14/2009 Monetary Penalty Agency<br>E-Case 2275 Docket 2009-004 <i>PC</i> | \$750.00       |
| <b>Original Amount Due</b>   | <hr/> \$750.00 |

**UTAH  
Invoice - Original**

Invoice Date: January 14, 2009  
Balance Due: \$750.00  
Due Date: February 07, 2009  
Invoice ID: 402023  
Payor ID: 157754  
Payor Name: ECU LLC

Make checks payable to: Utah Insurance Department

Send payment to:

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