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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

JAMES E. HENRICHSEN
245 South 600 West
Provo, UT 84601
License No. 189364

**STIPULATION
&
ORDER**

Docket No. 2008-164 LC

Enf. Case No. 2309

STIPULATION

1. Respondent, James E Henrichsen, is a licensed insurance adjuster in the State of Utah, holding License No. 189364.

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

[Handwritten signature]

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.

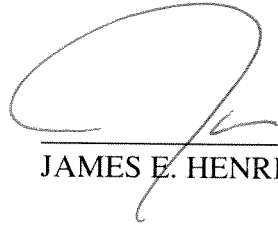
3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

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

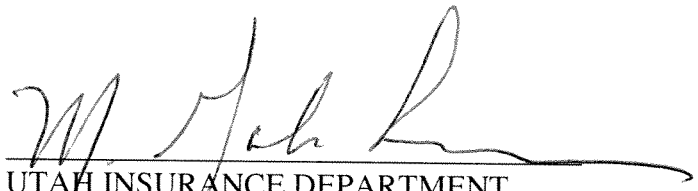
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

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 9TH day of DECEMBER, 2008.



JAMES E. HENRICHSEN



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 September 30, 2008, Respondent submitted an application for renewal of his adjuster's license.

2. In his renewal application, Respondent answered "No" to the question "Since last disclosure on your license application or your previous license renewal or reinstatement form, have you ever been convicted of, or are you currently charges with, committing a crime...?"

3. At the time of the filing of his application, Respondent knew that he had been convicted of Retail Theft, a class A misdemeanor on November 29, 2006, and also was convicted of Retail Theft, a class A misdemeanor on February 7, 2008.

3. Respondent further failed to report that he had been charged with these crimes within 30 days of his first court appearance for those charges.

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 report to the department that he had been charged with crimes within 30 days of the date of his first court appearance on those charges, Respondent violated Utah Code Annotated § 31A-23a-105(2).

2. In answering "No" to the question regarding criminal convictions in his license application when he had been convicted of crimes, Respondent violated Utah Code Annotated §§

31A-2-202(6) and 31A-23a-104(2)(b)(v).

3. In being convicted of Retail Theft on two different occasions, Respondent demonstrated that he does not meet the character requirements to hold a license under Utah Code Annotated § 31A-23a-107(2).

4. Respondent's insurance adjuster's license 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)(ix), provides information in an insurance application that is incorrect, misleading, incomplete, or materially untrue; and -111(5)(b)(xi), attempts to obtain a license through misrepresentation or fraud.

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's insurance adjuster's license is revoked forthwith.
2. Respondent shall immediately cease doing any insurance or insurance adjusting business in the State of Utah.

NOTIFICATION

Respondent is 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 17th day of December, 2008.

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

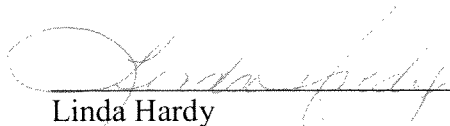
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

James E. Henrichsen
245 South 600 West
Provo, UT 84601

DATED this 17th day of December 2008.



Linda Hardy

Court Clerk

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