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: : DEFAULT AND : DEFAULT ORDER

UTAH STATE INSURANCE DEPARTMENT

RESPONDENT: : Docket No. 2009-116-PC\_

CLEAR BLUE TITLE INSURANCE AGENCY, LLC

2975 West Executive Pkwy Lehi, UT 84043

1304 N. Redwood Road, Suite 175 Saratoga Springs, UT 84045-4734 License No. 254464 Enf. Case No. <u>2488</u>

#### **DEFAULT**

On Wednesday, the 18<sup>th</sup> day of November, the date and time set for hearing on the Order to Show Cause in this matter, the Complainant appeared by and through its attorney, M. Gale Lemmon, Assistant Attorney General. The Respondent or its attorney failed to appear. Therefore, pursuant to Utah Code Annotated § 63G-4-209, the Default of the Respondent is hereby entered.

DATED this / day of / Weapher, 2009.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK É. KLEINFIELD, Esq.

#### RECOMMENDED ORDER

The Default of the Respondent having previously been entered, the presiding officer hereby adopts the allegations in the Motion for Order to Show Cause as his Findings of Fact and Conclusions of Law, and enters the following Recommended Order:

IT IS RECOMMENDED THAT THE TITLE AND ESCROW COMMISSION IMPOSE THE FOLLOWING PENALTY:

- 1. The license of the Respondent, Clear Blue Title Insurance Agency, LLC, be revoked forthwith.
- 2. Respondent be ordered to immediately cease doing any title or escrow insurance business in the State of Utah.

DATED this 18 day of Naruhen, 2009.

D. KENT MICHIE INSURANCE COMMISSIONER

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

#### ADOPTION OF RECOMMENDED ORDER AND IMPOSITION OF PENALTY

JERRY HOUGHTON, Chairman Title and Escrow Commission

### **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 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.

## CONCURRENCE WITH COMMISSION IMPOSED PENALTY

On behalf of the Commissioner of the Utah Insurance Department I hereby concur with the penalty imposed by the Utah Title and Escrow Commission in the above matter.

DATED this 14th day of December, 2009.

D. KENT MICHIE INSURANCE COMMISSIONER

MARK E. KLEINFIELD Administrative Law Judge

### 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:

# DEFAULT AND DEFAULT ORDER

### LICENSE REVOKED

To the following:

Clear Blue Title Ins. Agency, LLC Attn: Mary A. Enges 882 W. Chukar Circle Saratoga Springs, UT 84045

DATED this 16 <sup>th</sup> day of December 2009.

Linda/Hardy

Court Clerk

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