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Telephone (801) 538-3872

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

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

KEVIN MICHAEL MICHAUD  
270 S. Highland Ave. #E  
Placentia, California 92870  
License No. 299819

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER  
FAILURE TO RESPOND**

DOCKET No. 2009-155 LC

Enf. Case No. 2565

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63G-4-201 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. Respondent is an agent authorized to do the business of insurance in the State of Utah holding License number 299819.

2. On October 15, 2009 a request letter was mailed to the Respondents residential address. The mailing address in the department's records belongs to the Respondents former employer.

3. On October 21, 2009 the Respondent was unable to be reached by phone. The phone number listed in the department records does not belong to the Respondent.

4. Thereafter, Respondent was required, by email to respond to an inquiry of the Commissioner dated October 26, 2009.

5. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

#### **CONCLUSION OF LAW**

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

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

#### **ORDER**

##### **IT IS HEREBY ORDERED:**

1. Respondent shall pay an administrative forfeiture in the amount of \$250.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the

request and shall state the basis for the relief requested.

**NOTIFICATION**

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

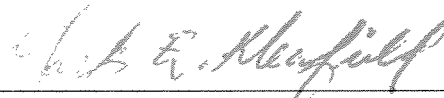
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license of the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$5,000.00 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.

Questions regarding this Adjudicative Proceeding should be directed to Bill Stimpson, [wstimpson@utah.gov](mailto:wstimpson@utah.gov), Telephone Number (801) 538-3078.

DATED THIS 18<sup>th</sup> day of November, 2009.

D. KENT MICHIE  
INSURANCE COMMISSIONER



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MARK KLEINFELD, J.D.  
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:

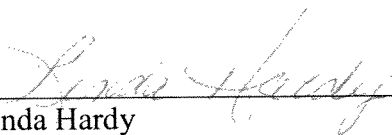
NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

FAILURE TO RESPOND

To the following:

Kevin Michael Michaud  
270 S. Highland Ave. #E  
Placentia, CA 92870

DATED this 19<sup>th</sup> day of November 2009.

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

**UTAH  
Invoice - Original**

Printed Date: November 19, 2009  
Invoice Date: November 19, 2009  
Balance Due: \$250.00  
Due Date: December 14, 2009  
Invoice ID: 438402  
Payor ID: 1376444

MICHAUD KEVIN MICHAEL  
270 S HIGHLAND AVE E  
PLACENTIA CA 92870

| <b>Item Description</b>  | <b>Amount</b>   |
|--|-----------------|
| 11/19/2009 Monetary Penalty Individual<br>E-Case 2565 Docket 2009-155 LC | \$250.00        |
| <b>Original Amount Due</b>   | <b>\$250.00</b> |

**UTAH  
Invoice - Original**

Invoice Date: November 19, 2009  
Balance Due: \$250.00  
Due Date: December 14, 2009  
Invoice ID: 438402  
Payor ID: 1376444  
Payor Name: MICHAUD, KEVIN  
MICHAEL

Make checks payable to: Utah Insurance Department

Send payment to:

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