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UTAH STATE
INSURANCE DEPT

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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

MATTHEW STEVEN BOWMAN
2076 Ashdown Lane
Draper, UT 84020
License No. 335227

STIPULATION AND ORDER

Docket No. 2010-051 LC

Enf. Case No. 2610

STIPULATION

1. Respondent, Matthew Steven Bowman is a licensed insurance agent in the State of Utah, holding License No. 335227.

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

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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 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 purpose of disposition of the matter entitled herein.

DATED this 22 day of MARCH, 2010.



MATTHEW STEVEN BOWMAN



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 November 27, 2009, Respondent Matthew Steven Bowman applied for a resident individual producer license.
2. Respondent failed to disclose at the time of his application a an April 2004 criminal action taken against him..
3. A background check revealed that in April 2004, Respondent was charged with disturbing the peace in a hotel when he and some friends became loud while watching a basketball tournament and were later escorted from the hotel by hotel staff and security. Respondent subsequently pled guilty to the charge, spent one day in jail and paid a \$166.00 fine.
4. When contacted by the Department, the Respondent admitted the above action but stated he thought the record had been expunged.
5. Respondent's application for license was approved based on Respondent's agreement to this action.

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

CONCLUSIONS OF LAW

1. Utah Code Ann. §31A-23a-105(2) (West 2009) requires and applicant for license to report to the commissioner a criminal prosecution taken against the person in any jurisdiction.
2. By failing to disclose the above misdemeanor charge and conviction, the Respondent

violated Section 31A-23a-105(2).

3. An administrative forfeiture of \$250.00 and probation for a period of 12 months is appropriate under the circumstances.

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 Matthew Steven Bowman is assessed an administrative forfeiture of \$250.00 to be paid to the Utah Insurance Department within 30 days of issuance of this Order.

2. Respondent Matthew Steven Bowman is placed on probation for a period of 12 months commencing with the date of this Order. The terms of probation are that Respondent shall pay the administrative forfeiture in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or any order of the Commissioner.

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 \$2,500.00 per violation and the suspension or revocation of your 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.

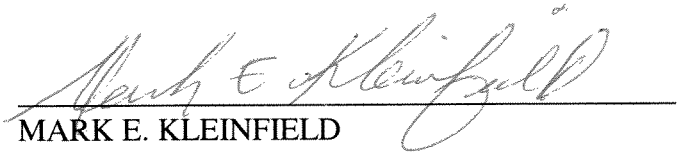
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You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 29 day of March, 2010.

NEAL T. GOOCH
Acting Insurance Commissioner



MARK E. KLEINFELD

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:

Matthew Steven Bowman
2076 Ashdown Lane
Draper, UT 84020

DATED this 30th day of March, 2010



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

**UTAH
Invoice**

Printed Date: March 25, 2010

Invoice Date: March 25, 2010
Balance Due: \$250.00
Due Date: April 29, 2010
Invoice ID: 454993

BOWMAN MATTHEW STEVEN
2076 ASHDOWN LANE
DRAPER UT 84020

Item Description	Amount
Monetary Penalty Individual	\$250.00
Original Amount Due	<u>\$250.00</u>

**UTAH
Invoice**

Printed Date: March 25, 2010

Invoice Date: March 25, 2010
Balance Due: \$250.00
Due Date: April 29, 2010
Invoice ID: 454993

Make checks payable to: Utah Insurance Department

Send payment to:

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

Detach and Return with Payment