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UTAH STATE
INSURANCE DEPT.

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENTS:

BRYAN KIM JOHNSON

License No. 55285

BRYAN JOHNSON INSURANCE
AGENCY, INC.

378 West 1230 North
Provo, UT 84601

License No. 6288

STIPULATION AND ORDER

Docket No. 2010-0101 LC

Enf. Case No. 2644

STIPULATION

1. Respondent, Bryan Kim Johnson is a licensed insurance agent in the State of Utah, holding License No. 55285 and is the Agency Owner and Principle of Respondent Bryan Johnson Insurance Agency Inc., a licensed insurance agency in the State of Utah holding License No. 6288.

*7/20/10
Commissioner of Insurance*

2. Respondents stipulate 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. Respondents admit the Findings of Fact and Conclusions made therefrom;
- c. Respondents stipulate to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and
- d. Respondents and Complainant have negotiated the terms of the Order entered herein and Respondents agree to its entry and further agree to be bound by all its terms.

3. Respondents are aware of their right to a hearing at which they may be represented by counsel, present evidence and cross-examine witnesses. Respondents have irrevocably waived their right to such hearing and to any appeal related thereto.

4. Respondents admit the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondents are acting herein free from any duress or coercion of any kind or nature, having been advised fully as to their rights set forth herein.

6. Respondents acknowledges that the issuance of this Order by the Commissioner is

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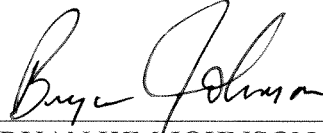
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solely for purpose of disposition of the matter entitled herein.

DATED this 15th day of July, 2010.



BRYAN KIM JOHNSON



BRYAN JOHNSON INSURANCE AGENCY INC.
By Bryan Kim Johnson, Agency Owner/Principal
378 West 1230 North
Provo, UT 84604



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. In July 2007 Respondent Bryan Johnson Insurance Agency, Inc. advertised a \$10 gas coupon to the public in exchange for calling or visiting the agency office for an insurance quote.
2. The advertisement ran for one year.

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

CONCLUSIONS OF LAW

1. Utah Administrative Code R590-154-11(A) states in part:

A licensee may not give or offer to give any prizes, goods, wares, merchandise or item of value as an inducement to enter into any insurance or annuity contract or as an inducement to receive a quote, submit an application or in connection with any other solicitation for the sale of an insurance or annuity contract. However, anything with an acquisition cost of \$3.00 or less shall not be considered an inducement.
2. By advertising a \$10 gas coupon in exchange for calling for visiting the agency to get a quote for insurance, Respondents violated the above provision.
3. An administrative forfeiture in the amount of \$2,000.00 by Respondent Bryan Kim Johnson and Bryan Johnson Insurance Agency Inc. jointly 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 Bryan Kim Johnson and Respondent Bryan Johnson Insurance Agency Inc. are jointly assessed a forfeiture of \$2,000.00 to be paid to the Utah Insurance Department withing 30 days of issuance of this Order.

2. Respondents are placed on probation for a period of 12 months beginning from the date of this Order. The terms of probation to be that Respondents pay the administrative forfeiture in a timely manner and shall have no further violations of the Utah Insurance Code, Department Rules, or any order of the Commissioner.

DATED this 13th day of July, 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

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

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.

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