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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

COREY J. MORGAN
778 12th Street
Ogden, UT 84404
License # 342359

STIPULATION AND ORDER

Docket No.

Enf. Case No. 2673

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STIPULATION

1. Respondent, Corey J. Morgan is a licensed insurance producer in the State of Utah, License No. 342359.
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

- 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 20 day of may, 2010.



COREY J. MORGAN



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 March 3, 2010, Respondent Corey J. Morgan answered “No” on his license application to the question “[h]ave you ever been convicted of . . . committing a crime?”
2. A routine BCI check subsequently discovered that Respondent had previously been convicted of four misdemeanors: (1) a Class C, Trespass, on July 11, 1997; (2) a Class B, Simple Assault, on December 8, 2005; (3) a Class B, Criminal Trespass, on September 28, 2006; and (4) a Class B, Illegal Possession/Use of Controlled Substance, on February 9, 2007.

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-2-202(6) (2009) requires that all information submitted to the commissioner shall be accurate and complete.
2. Utah Code Ann. § 31A-23a-105(2)(b)(ii) (2009) states, “An application for a pending individual producer’s license shall report. . .any criminal prosecution taken against the person in any jurisdiction.”
3. Utah Code Ann. § 31A-23a-111(5)(ix)(A) (2009) states, “The commissioner may take any action if the commissioner finds that the licensee. . .provides information in the license application that is incorrect, misleading, or materially untrue.”
4. Respondent violated the above provisions on march 3, 2010 when he answered “no” to

the application question regarding any prior criminal convictions.

5. An administrative forfeiture in the amount of \$500.00 and probation for a period of 12 months is appropriate under the circumstances of this case.

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 Corey J. Morgan is assessed a forfeiture of \$500.00 to be paid to the Utah Insurance Department within 30 days of the date of this Order.

2. Respondent is placed on probation for a period of 12 months commencing from the date of this Order. The terms of probation are that Respondent shall have no further violations of the Utah Insurance Code, Department rules, or any order of the commissioner.

DATED this 20 day of May, 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 \$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.

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