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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:

JODIE GREEN
Mountain America Insurance Service LLC
P.O. Box 9001
West Jordan, UT 84084

STIPULATION AND ORDER

Docket No. 2010-163LC

Enf. Case No. 2720

STIPULATION

1. Respondent, Jodie Green is a resident licensed insurance agent in the State of Utah, holding License No. 353367.
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.

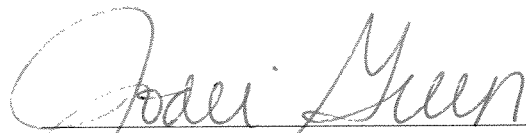
3. Respondent is aware of her right to a hearing at which she may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived her right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

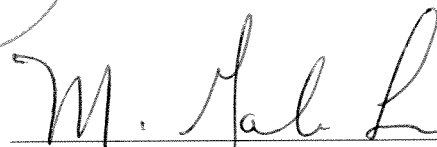
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to her rights set forth herein.

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 8th day of November, 2010.



JODIE GREEN, Licensee



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 June 15, 2010, the Respondent, Jodie Green, applied for a residential limited line producer license.
2. The Respondent answered “no” to the question on the application: “Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?”
3. On or about June 24, 2010, a BCI report disclosed two charges and convictions of Respondent. The first arrest/charge dated May 24, 2008, was for a misdemeanor minor in possession/consumption of alcohol. Respondent was convicted on June 10, 2008. The second arrest/charge dated June 8, 2008, was for unlawful purchase/possession/consumption of alcohol by a minor. Respondent plead guilty and was convicted on August 18, 2008.
4. On or about July 14, 2010, Producer Licensing received a document from Respondent’s employer, Mountain America Insurance, disclosing the first charge, but no disclosure regarding the second incident.
5. On or about August 5, 2010, a Market Conduct Examiner requested an explanation from Respondent as to why the second incident was not disclosed.
6. On or about August 23, 2010, Respondent explained both charges and sent documents from the West Jordan City Justice Court regarding her convictions.
7. Respondent cooperated in the investigation and has agreed to the terms of this Stipulation and Order. Producer Licensing released the hold on her license and the Respondent

is now a licensed producer.

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 requires an applicant for a limited line producer license to disclose at the time of application any criminal action taken against the person in any jurisdiction, and the applicant is to include a copy of the complaint or other relevant legal documents related to the action or prosecution.

2. Respondent, Jodie Green, violated Section 31A-23a-105 when she failed to disclose on her application for limited line producer license the criminal prosecutions and convictions dated June 10, 2008 and August 18, 2008.

3. An administrative forfeiture in the amount of \$500.00 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. An administrative forfeiture in the amount of \$500.00 is assessed against Respondent Jodie Green..

2. The forfeiture shall be paid to the Commissioner within thirty days following the date this Order is signed.

DATED this 17th day of November, 2010.

NEAL T. GOOCH
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.