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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENT:</p> <p>ARTHUR RUGGERO 13718 SW 90 Avenue, Unit D Miami, FL 33176 License No. 340214</p>	<p>STIPULATION AND ORDER</p> <p>Docket No.</p> <p>Enf. Case No. 2728</p>
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STIPULATION

1. Respondent, Arthur Ruggero is a non-resident licensed insurance producer in the State of Utah holding License No. 340214.
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.

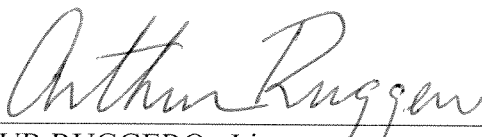
3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

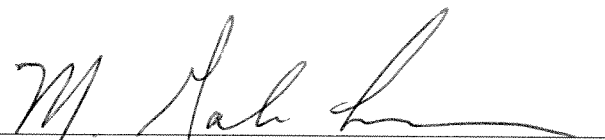
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

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 23 day of November, 2010.


ARTHUR RUGGERO, 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 March 15, 2010, the Respondent, Arthur Ruggero, applied for a Utah non-resident individual 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 30, 2010, Respondent submitted a second application to the Department to add a Life Line of Authority to his individual non-resident producer license.

4. On this application, Respondent answered “yes” to the question regarding criminal history, and provided a written statement dated March 18, 2010 outlining criminal charges filed on December 29, 2009 for possession of cannabis and drug paraphernalia. Prosecution was ultimately deferred on these charges with payment of a fine of \$300 and successful completion of 90 days probation. He included a copy of the Background Summary Report from the Miami-Dade County Court in Florida dated January 29, 2010.

5. Respondent stated that he mis-read the question on the first application, but cooperated in the investigation and has agreed to the terms of this Stipulation and Order.

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, Arthur Ruggero, violated Section 31A-23a-105 when he failed to disclose on his initial application for Utah non-resident individual producer license the criminal charges dated December 29, 2009 brought in Miami-Dade County Florida.

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

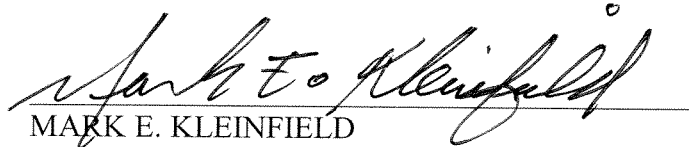
2. The forfeiture shall be paid to the Commissioner within thirty days following the date this Order is signed.

3. Probation for a period of 12 months is imposed on Respondent commencing with 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 30th 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.



Insurance Department

State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

NEAL T. GOOCH
Acting Insurance Commissioner

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:

Arthur Ruggero
13718 SW 90 Avenue, Unit D
Miami, FL 33176

DATED this 30th day of November, 2010

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

**UTAH
Invoice - Original**

Printed Date: November 30, 2010
Invoice Date: November 30, 2010
Balance Due: \$500.00
Due Date: December 29, 2010
Invoice ID: 487378
Payor ID: 1418535

RUGGERO ARTHUR
CINERGY HEALTH LIFE
10251 W OAKLAND PARK BLVD
SUNRISE FL 33351-6915

Item Description	Amount
11/30/2010 Monetary Penalty Individual E-Case 2728 Docket 2010-164 LC	\$500.00
Original Amount Due	<hr/> \$500.00
Payments Received	
	<hr/> Balance Due

**UTAH
Invoice - Original**

Invoice Date: November 30, 2010
Balance Due: \$500.00
Due Date: December 29, 2010
Invoice ID: 487378
Payor ID: 1418535
Payor Name: RUGGERO, ARTHUR

Make checks payable to: Utah Insurance Department

Send payment to:

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