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**RECEIVED**  
DEC 09 2010  
UTAH STATE  
INSURANCE DEPT

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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH

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**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENTS:**

MAYS FINANCIAL SERVICES LLC  
dba VAN MAYS ALLSTATE  
161 East 100 North  
Price UT 84501  
License 105185

VAN A. MAYS  
License 133360

**STIPULATION AND ORDER**

Docket No.

Enf. Case No. 2739

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**STIPULATION**

1. Respondent Mays Financial Services LLC dba Van Mays Allstate is a license resident insurance agency in the State of Utah, holding License No. 105185. Respondent Van A Mays is a licensed resident insurance producer in the State of Utah holding License No. 133360, and is the owner and member of Respondent Mays Financial Services LLC.

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 agrees 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.

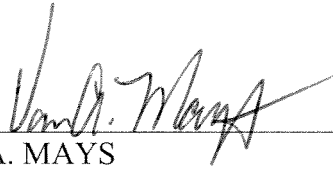
4. Respondents admit the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

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 acknowledge that the issuance of this Order by the Commissioner is solely for purpose of disposition of the matter entitled herein.

DATED this 6<sup>th</sup> day of December, 2010.

  
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MAYS FINANCIAL SERVICES LLC  
dba VAN MAYS ALLSTATE  
Van A. Mays, Member & Manager



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VAN A. MAYS



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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 September 29, 2010, a Department investigator visited an Allstate insurance office in St. George, Utah identified as the “Shonie Insurance Group.” He met with Shonie Christensen who explained that she had recently opened her agency and was involved in several advertisements designed to build public awareness.

2. The investigator was demonstrating to Christensen how to verify through the Department’s web site the status of an agency and those licensees designated to the agency when it was discovered that “Shonie Insurance Group” was not a licensee of the Department.

3. Christensen, whose business card also indicated “The Shonie Insurance Group” explained that she was an employee of Respondent Van A. Mays and that the St. George office was a satellite office of the Respondents.

4. Christensen also stated that the Respondent operated another agency, “Extra Mile Insurance Agency,” in nearby Washington, Utah.

5. On September 30, 2010, the investigator visited “Extra Mile Insurance Agency” and verified that “Extra Mile Insurance” was not a licensed agency and that the agency manager, Ryan Bishop, was also an employee of Respondents.

6. As principal of Mays Financial Services LLC and employer of Shonie Christensen and Ryan Bishop, Respondent was aware of the usage of various advertisements including signage, business cards, and other promotional materials used by Shonie Insurance Group and Extra Mile

Insurance.

7. Respondent Van A Mays indicated in written statements that it was his intention to open satellite offices of his Price, Utah agency. He further stated that his agency, Mays Financial Services LLC dba Van Mays Allstate, has 100% ownership in all the agencies and is responsible for all expenses including payroll, operations, and marketing. In his statement he explained that he did not obtain separate agency licenses because he assumed they would be covered under the Mays Financial Services LLC license.

8. Respondent has since licensed both agencies.

9. Respondent agrees to an administrative forfeiture of \$6,000.00.

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

**CONCLUSIONS OF LAW**

1. As principal of Mays Financial Services LLC and employer of Shonie Christensen, Respondent Mays was aware of the usage of various advertisements, signage, and business cards for the Shonie Insurance Group. Respondent violated the provisions of Utah Code Ann. § 31A-23a-110(2), Utah Admin. Code R590-154-5(1) and R590-154-7(A)(3) by allowing use of a name other than its legal name, and failing to notify the commission before using the assumed name “Shonie Insurance Group.”

2. In using the name “Shonie Insurance Group,” without a valid agency license, Respondent violated the provisions of Utah Code Ann. § 31A-23a-301(1).

3. Respondent failed to comply with Utah Code Ann. § 31A-23a-302(1)(2)&(5) which

requires a licensed producer to be designated to an agency and to act on its behalf. Respondent failed to license “Shonie Insurance Group” as an agency and designate Shonie Christensen to act on its behalf.

4. As employer of Ryan Bishop and principal of Mays Financial Services LLC, Respondent was aware of various advertisements, signage, and business cards for “Extra Mile Insurance.” Respondent violated the provisions of Utah Code Ann. § 31A-23a-110(2), Utah Admin. Code R590-154-5(1) and R590-154-7(A)(3) by allowing use of a name other than its legal name, and failing to notify the commission before using the assumed name “Extra Mile Insurance.”

5. In using the name “Extra Mile Insurance,” without a valid agency license, Respondent violated the provisions of Utah Code Ann. § 31A-23a-301(1).

6. Respondent failed to comply with Utah Code Ann. § 31A-23a-302(1)(2)&(5) which requires a licensed producer to be designated to an agency and to act on its behalf. Respondent failed to license “Extra Mile Insurance” as an agency and designate Ryan Bishop to act on its behalf.

7. An administrative forfeiture in the amount of \$6,000.00 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. Respondents Mays Financial Services LLC dba Van Mays Allstate and Van A. Mays

are assessed a forfeiture of \$6,000.00 to be paid to the Utah Insurance Department within 30 days of issuance of this Order.

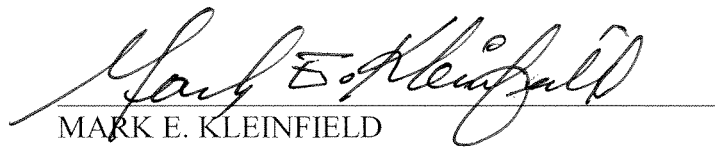
**NOTIFICATION**

Respondents are hereby notified that failure to abide by the terms of this Order may subject them to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of their licenses, 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

DATED this 16 day of December, 2010.

NEAL T. GOOCH  
Insurance Commissioner

  
MARK E. KLEINFELD  
Administrative Law Judge  
Utah Insurance Department



# Insurance Department

State of Utah

GARY R. HERBERT  
*Governor*

GREG BELL  
*Lieutenant Governor*

NEAL T. GOOCH  
*Commissioner*

## CERTIFICATE OF MAILING

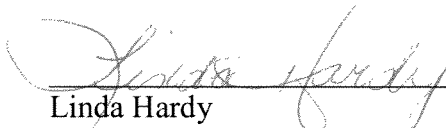
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

### STIPULATION & ORDER

To the following:

Mays Financial Services  
dba Van Mays Allstate  
161 East 100 North  
Price, UT 84501

DATED this 20<sup>th</sup> day of December, 2010

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



**UTAH  
Invoice**

Printed Date: December 16, 2010

Invoice Date: December 16, 2010  
Balance Due: \$6,000.00  
Due Date: January 15, 2011  
Invoice ID: 490739

VAN MAYS ALLSTATE  
161 EAST 100 NORTH  
PRICE UT 84501

**Item Description**

Monetary Penalty Agency

**Amount**

\$6,000.00

**Original Amount Due**

\$6,000.00

**Payments Received**

**Balance Due**

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**UTAH  
Invoice**

Printed Date: December 16, 2010

Invoice Date: December 16, 2010  
Balance Due: \$6,000.00  
Due Date: January 15, 2011  
Invoice ID: 490739

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**