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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

VIMO, INC. dba GETINSURED.COM.
License No. 243948

2110 Newmarket Pkwy.
Marietta, GA 30067

2595 E. Bayshore Rd., Suite 250
Palo Alto, CA 94303

STIPULATION AND ORDER

Docket No. 2011-030 PC

Enf. Case No. 2781

STIPULATION

1. Respondent, Vimo, Inc. dba GetInsured.Com, is a nonresident insurance agency licensed in the State of Utah holding License No. 243948.
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 stipulates to the entry of 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 its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its 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.

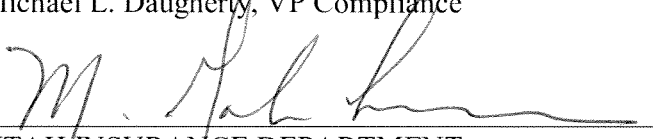
5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

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 March, 2011.



VIMO, INC. dba GETINSURED.COM
Michael L. Daugherty, VP Compliance



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon
Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Office makes the following Findings of Fact:

FINDINGS OF FACT

1. On August 12, 2010, a Department investigator received an interdepartmental referral indicating that an entity called "GetInsured.Com" was doing insurance business in Utah but according to Department records, was not licensed.

2. From the period August 16, 2010 through December 27, 2010, the investigator tried to reach the Respondent via the GetInsured.Com website email address and the toll free customer service number two times. As of December 27, 2010 the investigator received no response from Respondent or any representative.

3. A review of the GetInsured.Com website did not reveal its true identity or location. The investigator conducted a further search which showed the entity GODADDY.COM as administering the website but the identity of the registrant was listed as "Registration Private" and not disclosed. The Department issued a subpoena to GODADDY.COM and in response, GODADDY.COM identified the registrant as "Shankar Srinivasin" with the company name and address listed as "Vimo, Inc. 2595 E. Bayshore Rd. Suite 250, Palo Alto, CA 94303."

4. Department records indicated "Vimo Inc." with the address give above was a non-resident licensee of the Department, holding License No. 243948. Department records showed no alias on file.

5. On or about January 11, 2011, the investigator attempted to contact Vimo Inc. by phone and email. On January 13, 2011, a response was received from Mary Hall, whose title is

“Administration Manager for ‘GetInsured.Com’.” Ms. Hall stated, “we are licensed in your state” and provided the license number for Vimo Inc.

6. On January 13, 2011, Michael Daugherty, VP of Compliance for Vimo, Inc. phoned the investigator to answer the concerns of the department. He stated that Vimo Inc. was doing business in Utah and throughout the country as “GetInsured.Com” and explained he was unaware of the requirement to notify the Department before using an assumed name. He further explained that his agency works like an insurance sales call center and that, although he didn’t know, he estimated they had less than 20 licensed producers who represent Utah consumers. Daugherty later provided a list that when compared to Department records showed up to 30 licensed agents employed by Vimo Inc. who were not designated to the agency. The Respondent has since designated the producers to the agency.

7. The Respondent took full responsibility for not ensuring compliance with Utah Insurance laws, and made immediate corrections. Respondent agrees to the Department recommendation.

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-110 (2) states: “A licensee under this chapter doing business under another name than the licensee’s legal name shall notify the commissioner before using the assumed name in this state.”

2. Utah Code Ann. § 31A-23a-402 states in part:

(1)(a)(I) Any of the following may not make or cause to be made

any communication that contains false or misleading information, relating to an insurance product or contract, any insurer, or any licensee under this title including information that is false or **misleading because it is incomplete:**

(A) a person who is or should be licensed under this title; . . .
(Emphasis added.)

3. Utah Administrative Rule R590-154-5 prohibits an insurance producer from using any name that is misleading or deceptive and shall state in any advertising that the licensee is an insurance agency.

4. Utah Administrative Rule R590-154-7 prohibits use of a name other than the exact name appearing on the producer or agency license.

5. Utah Code Ann. § 31A-23a-302 required the following:

(1) An agency shall designate an individual that has an individual producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary license to act on the agency's behalf in order for the licensee to do business for the agency in this state.

(2) An agency shall report to the commissioner, at intervals and in the form the commissioner establishes by rule:

(a) a new designation;

(Emphasis added.)

6. Utah Administrative Rule R590-244-10 requires an agency to electronically designate a licensed individual to the agency license to do business on behalf of the agency in this state.

7. Respondent was in violation of all the above statutory and administrative rule provisions when it solicited insurance in Utah when using the alias "GetInsured.Com" without registering its alias with the Department and without designating all its producers.

8. An administrative forfeiture of \$5,000.00 is appropriate under the circumstances of this case.


ORDER

IT IS HEREBY ORDERED:

1. Respondent Vimo Inc. dba GetInsured.Com, is hereby assessed an administrative forfeiture in the amount of \$5,000.00 to be paid to the Utah Department of Insurance within 30 days of the issuance of this Order.

DATED this 4th day of April, 2011.

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

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose penalties of up to \$10,000 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.