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Assistant Attorney General  
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160 East 300 South, Fifth Floor  
P.O. Box 140874  
Salt Lake City, UT 84114-0874  
Telephone (801) 366-0375

## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

<b>COMPLAINANT:</b>	:	<b>MOTION AND ORDER TO SHOW CAUSE</b>
	:	
UTAH INSURANCE DEPARTMENT	:	<b>REVOCAION OF LICENSE</b>
	:	
<b>RESPONDENT:</b>	:	
	:	
STEPHANIE L. MORENO	:	<b>Docket No. <u>2011-128-LC</u></b>
761 Filer Ave. W.	:	
Twin Falls, ID 83301-4502	:	<b>Enf. Case No. <u>2931</u></b>
License No. 363580	:	
	:	

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### MOTION FOR ORDER TO SHOW CAUSE

Comes now, M. Gale Lemmon, attorney for Complainant, and hereby moves the commissioner for an Order to Show Cause why Respondent's Utah insurance agent's license should not be revoked for failure to obey an Order of the commissioner in the above-entitled matter. In support of its motion, Complainant shows as follows:

1. Complainant instituted an informal administrative proceeding against Respondent on July 18, 2011, and on the same date mailed the Notice Of Informal Adjudicative Proceeding and Order to Respondent at the following address:

Stephanie L. Moreno  
761 Filer Ave. W.  
Twin Falls, ID 83301-4502

a copy of which is attached hereto as Exhibit A.

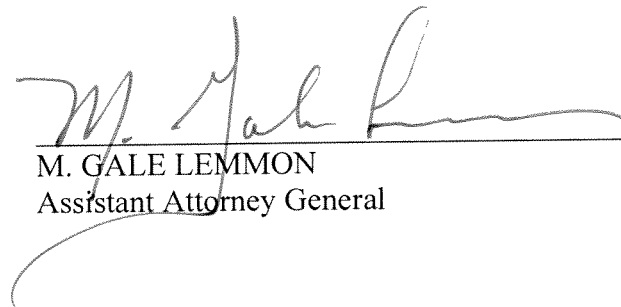
2. Respondent did not request a hearing and the Order became final on August 2, 2011, and is not subject to agency review or appeal.

3. Respondent failed to obey the Order of the commissioner in failing to pay an administrative forfeiture in the amount of \$500.00 and failed to respond to an inquiry of the commissioner.

4. Pursuant to Utah Code Annotated § 31A-2-308, if a licensee fails to obey an order of the commissioner, he may assess forfeitures of up to \$2,500.00 per violation or may suspend or revoke Respondent's license.

5. Because Respondent failed to obey the Order previously made in this matter, the commissioner should now revoke Respondent's license and order Respondent to pay an additional administrative forfeiture in an amount to be designated by the commissioner for violation of that Order.

DATED this 22<sup>nd</sup> day of December, 2011.

  
\_\_\_\_\_  
M. GALE LEMMON  
Assistant Attorney General

**ORDER TO SHOW CAUSE**

Having considered the motion of the Complainant, and good cause otherwise appearing:

**IT IS HEREBY ORDERED:**

1. Respondent shall appear before the commissioner or his designated representative on Tuesday, the 17<sup>th</sup> day of January, 201~~2~~, at the hour of 10:00 A.m.  
**at the offices of the Utah Insurance Department, State Office Building (North of the State Capitol Building), Room 3112, Salt Lake City, Utah 84114**, to show cause, if any there be, why Respondent's insurance agent's license should not be immediately revoked for failure to obey an Order of the commissioner and the imposition of additional forfeitures for violation of that Order.

2. Failure to appear shall result in your default being taken and the entry of an order revoking your license and assessment of additional forfeitures.

DATED this \_\_\_\_\_ day of DEC 28 2011, 2011.

NEAL T. GOOCH  
INSURANCE COMMISSIONER



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MARK E. KLEINFELD, Esq.  
Administrative Law Judge  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3800

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this proceeding should call the Utah Insurance Department at (801) 538-3800 at least three working days prior to the proceeding.

*MLM*

M. GALE LEMMON #4363  
Assistant Attorney General  
MARK L. SHURTLEFF #4666  
Attorney General  
Attorneys for Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 538-3872

**BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH**

<b>COMPLAINANT:</b>	:	<b>NOTICE OF INFORMAL ADJUDICATIVE PROCEEDING AND ORDER</b>
UTAH INSURANCE DEPARTMENT	:	
<b>RESPONDENT:</b>	:	<b>Failure to Respond</b>
STEPHANIE L. MORENO	:	DOCKET No. <u>2011-128 LC</u>
761 FILER AVE W	:	
TWIN FALLS, ID 83301-4502	:	Enf. Case No. <u>2931</u>
License No. 363580	:	

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-202 and 63G-4-201 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in producer files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. Respondent is an agent authorized to do the business of insurance in the State of Utah holding License number 363580.
2. The Respondent failed to properly respond to an initial inquiry of the Commissioner dated June 7, 2011.

*Exhibit A*

3. The Respondent was required, by first class letter dated June 07, 2011, to the mailing/business address on record, to provide a substantive response to the Commissioner's initial inquiry on or before June 23, 2011.

4. The Respondent was required, by first class letters dated June 07, 2011, to the resident address on record, to provide a substantive response to the Commissioner's initial inquiry on or before June 23, 2011.

5. The Respondent was required, by email sent June 27, 2011, to the email address on record, to provide a substantive response to the Commissioner's initial inquiry on or before July 5, 2011.

6. The Respondent business telephone number on record called on July 12, 2011, number has been disconnected.

7. The Respondent resident telephone number on record called on July 12, 2011, number has been disconnected.

8. As of July 12, 2011, no response from the Respondent has been received.

9. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

#### **CONCLUSION OF LAW**

I. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

## ORDER

### IT IS HEREBY ORDERED:

1. Respondent shall pay an administrative forfeiture in the amount of \$500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.
2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.
3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the request and shall state the basis for the relief requested.

## NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, 160 E. 300 S., Fifth Floor, P.O. Box 140874, Salt Lake City, UT 84114-0874, Telephone Number (801) 366-0375. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension

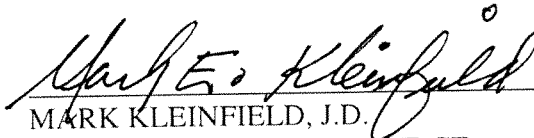
or revocation of your license of the filing of an action to enforce this Order in District Court which may impose forfeitures of up to \$10,000.00 per day for continued violation.

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

Questions regarding this Adjudicative Proceeding should be directed to Adam Martin, 801-537-9003.

DATED THIS 18<sup>th</sup> day of July, 2011.

NEAL T. GOOCH  
INSURANCE COMMISSIONER

  
MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800

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:

NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER

To the following:

Stephanie L. Moreno  
761 Filer Ave. W  
Twin Falls, TX 83301-4502

DATED this 18<sup>th</sup> day of July, 2011

A handwritten signature in cursive script that reads "Linda Hardy". The signature is written in black ink and is positioned above a horizontal line.

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



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:

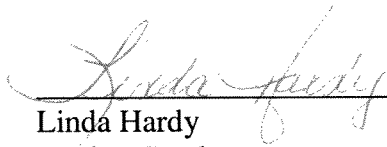
MOTION AND  
ORDER ON ORDER TO  
SHOW CAUSE

REVOCATION OF LICENSE

To the following:

Stephanie L. Moreno  
761 Filer Ave. W  
Twin Falls, TX 83301-4502

DATED this 29<sup>th</sup> day of December, 2011



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