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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH

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**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENT:**

MANUEL RENE NEGRON  
4386 W. Angle Pond Drive  
South Jordan, UT 84095  
License No. 264918

GENWEALTH ADVISORY GROUP  
8821 S. Redwood Rd., Suite D  
South Jordan, UT 84088  
License No. 324790

**STIPULATION AND ORDER**

Docket No. 2011-242 LF

Enf. Case No. 2964 (Negron)  
2965(GenWealth)

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**STIPULATION**

1. Respondent Manuel Rene Negron (Negron) is a licensed resident insurance producer in the State of Utah, License No. 264918. Respondent GenWealth Advisory Group, Inc. (GenWealth), is a corporation organized under the laws of the State of Utah and is licensed resident insurance agency in the State of Utah, License No. 324790. Respondent Negron is an owner and president of Respondent GenWealth.

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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 agree 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.

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

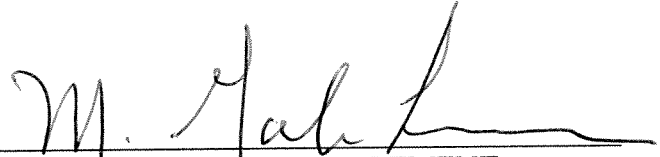
DATED this 20<sup>th</sup> day of OCTOBER, 2011.



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GENWEALTH ADVISORY GROUP, INC.  
Manuel Rene Negrón, President



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MANUEL RENE NEGRÓN



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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 or about June 3, 2011, the New Business Department of Allianz Life Insurance Company of North America (the Insurer) identified a signature discrepancy on Policy # 70899921 for the Policy Delivery Receipt and the Policy Amendment, both of which were signed and dated June 3, 2011. According to the NAIC Fraud Report, on or about June 7, 2011, Respondent Manuel Rene Negron admitted to the Special Investigative Unit of Allianz that he had signed the applicant's name on the original documents in order to have the commissions released on the policy.

2. Allianz terminated the appointment of Respondent Negron on June 16, 2011.

3. Respondent Negron has admitted to the Utah Insurance Department that he did sign the applicant's name on the two documents referred to above in order to place the policy in force and obtain the commission. Respondent stated that later in the day on June 3, 2011, he met with the annuity applicant to get the applicant's signature on the same forms that he (Negron) had signed earlier that day. Negron then submitted the documents signed by the applicant to Allianz.

4. Respondent Negron was paid a commission of \$2,500 by Allianz for policy #70899921.

5. In taking the above actions, Respondent Negron was acting as an agent of Respondent GenWealth.

6. Although a revocation of license is allowed under Utah Code Ann. § 31A-31-302, on August 8, 2011, the Respondent, Respondents' attorney Brad Jacobsen, and an Department

investigator met to discuss an appropriate penalty. All parties agreed to an administrative forfeiture of \$5,000 plus 24 months probation, jointly and severally for Respondents Manuel Rene Negron and GenWealth Advisory Group, Inc.

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

**CONCLUSIONS OF LAW**

1. By knowingly presenting to the Insurer a written statement or representation knowing that it contained false or misleading information by reason, Respondent Negron violated Utah Code Ann. §§ 31A-23a-402(1)(a)(i) and 31A-31-103(1)(a).

2. Under Utah Code Ann. § 31A-23a-302(6) and (7), a person designated on an agency license is presumed to be acting on behalf of the agency in the conduct of business, and the commissioner may take action against the agency for that action.

3. Utah Code Ann. § 31A-2-308 provides that any person who violates any statute or rule shall forfeit to the State two times the amount of any profit gained from the violation, in addition to any other forfeiture or penalty imposed. Two times the commission earned on policy #70899921 is \$5,000.

4. An administrative forfeiture in the amount of \$5,000 and probation for a term of 24 months, imposed jointly and severally, 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**

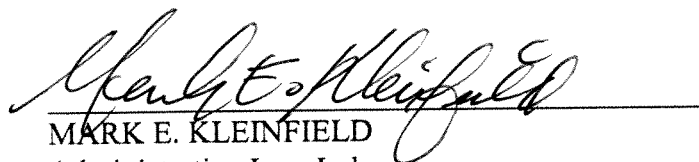
**IT IS HEREBY ORDERED:**

1. Respondent Manuel Rene Negron and Respondent GenWealth Advisory Group, Inc. are jointly and severally assessed an administrative forfeiture in the amount of \$5,000 to be paid to the Utah Insurance Department within 30 days of issuance of this Order.

2. Respondents Negron and GenWealth are each placed on probation for a term of 24 months beginning from the date of this Order. The terms of probation are that Respondents shall pay the administrative forfeiture in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or any Order of the Commissioner.

DATED this 25<sup>th</sup> day of October, 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**

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

for an agency and of up to \$2,500.00 per violation for an individual licensee, and the suspension or revocation of your 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.