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UTAH STATE
INSURANCE DEPT.

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P.O. Box 140874
Salt Lake City, UT 84114-0874
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**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

**STIPULATION
&
ORDER**

RESPONDENTS:

SORENSEN INSURANCE AGENCY, INC.

License No. 92648

KIM L. HARRINGTON

License No. 384361

GAYLE M. STOUT

License No. 385163

123 South Main Street

Heber City, UT 84032

Docket No. 2012-048-LC

Enf. Case No. 3012

STIPULATION

1. Respondent, Sorensen Insurance Agency, Inc. ("Sorensen"), is a licensed resident insurance agency in the State of Utah, holding License No. 92648. Respondents Kim L. Harrington ("Harrington") and Gayle M. Stout ("Stout") are licensed resident consumer service representatives in the State of Utah, holding License Nos. 384361 and 385163, respectively, and are employed by Respondent Sorensen.

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.

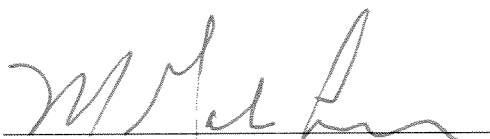
3. Respondents are aware of their right to a hearing at which they may be represented by counsel, present evidence and cross-examine witnesses. Respondents have irrevocably waived their right to such hearing and to any appeal related thereto.

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.

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

DATED this 30 day of APRIL, 2012.



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon
Assistant Attorney General

 PRES.

SORENSEN INSURANCE AGENCY, INC.
Howard Sorensen, President



KIM L. HARRINGTON



GAYLE M. STOUT

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

FINDINGS OF FACT

1. During a routine visit by a Department examiner to the offices of Sorensen in Heber City, Utah, it was discovered that the Sorensen had employed Respondents Harrington and Stout as consumer service representatives when they were not licensed to act in that capacity.

2. Harrington had been employed as a consumer service representative by Sorensen beginning in September 2010 to the present. Stout had been employed as a consumer service representative by Sorensen beginning in July 2006 to the present.

7. Respondents Harrington and Stout have obtained licenses as consumer service representatives on August 4, 2011 and August 15, 2011, respectively.

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

CONCLUSIONS OF LAW

1. By utilizing the services of Harrington and Stout as consumer service representatives when they were not licensed to act in that capacity, Respondent Sorensen violated Utah Code Ann. § 31A-23a-103(1)(c).

2. In acting as consumer service representatives when not licensed to do so, Respondents Harrington and Stout violated Utah Code Ann. § 31A-23a-103(1)(a).

3. Pursuant to Utah Code Ann. § 31A-2-308, the commissioner may impose a forfeiture of up to \$5,000 for an agency and of up to \$2,500 by individuals, per violation of the Utah Insurance Code or Rules.

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 Sorensen Insurance Agency, Inc. is assessed an administrative forfeiture in the amount of \$750.00, to be paid within 30 days of the date of this Order.
2. Respondents Kim L. Harrington and Gayle M. Stout are assessed administrative forfeitures in the amount of \$325.00 each, to be paid within 30 days of the date of this Order.


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 \$2,500.00 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.

DATED this 2nd day of May, 2012.

NEAL T. GOOCH
INSURANCE COMMISSIONER


MARK E. KLEINFELD, Esq.
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:

STIPULATION
&
ORDER

To the following:

SORENSEN INSURANCE AGENCY, INC.
123 South Main # 6
Heber, UT 84032

KIM L. HARRINGTON
123 South Main # 6
Heber, UT 84032

GAYLE STOUT
123 South Main # 6
Heber, UT 84032

DATED this 2nd day of May, 2012



Linda Hardy
Market Conduct
801-538-3860

**UTAH
Invoice**

Printed Date: May 02, 2012

Invoice Date: May 02, 2012
Balance Due: \$325.00
Due Date: June 01, 2012
Invoice ID: 578891

STOUT GAYLE M
123 SOUTH MAIN 6
HEBER CITY UT 84032

Item Description	Amount
Monetary Penalty Individual	\$325.00
Original Amount Due	<u>\$325.00</u>
Payments Received	
	<u>Balance Due</u>

**UTAH
Invoice**

Printed Date: May 02, 2012

Invoice Date: May 02, 2012
Balance Due: \$325.00
Due Date: June 01, 2012
Invoice ID: 578891

Make checks payable to: Utah Insurance Department

Send payment to:

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

**UTAH
Invoice**

Printed Date: May 02, 2012

Invoice Date: May 02, 2012
Balance Due: \$750.00
Due Date: June 01, 2012
Invoice ID: 578889

SORENSEN INSURANCE AGENCY INC
1965 E 3300 S
SALT LAKE CITY UT 84106

Item Description	Amount
Monetary Penalty Agency	\$750.00
Original Amount Due	<u>\$750.00</u>
Payments Received	
	<u>Balance Due</u>

**UTAH
Invoice**

Printed Date: May 02, 2012

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

**UTAH
Invoice**

Printed Date: May 02, 2012

Invoice Date: May 02, 2012
Balance Due: \$325.00
Due Date: June 01, 2012
Invoice ID: 578890

HARRINGTON KIM L
123 SOUTH MAIN 6
HEBER CITY UT 84032

Item Description	Amount
Monetary Penalty Individual	\$325.00
Original Amount Due	<u>\$325.00</u>
Payments Received	
	<u>Balance Due</u>

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