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UTAH STATE  
INSURANCE DEPT.

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Salt Lake City, Utah 84114  
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BEFORE THE INSURANCE COMMISSIONER  
OF THE STATE OF UTAH

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**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**RESPONDENTS:**

AWESOME BAIL BONDS  
License No. 321908

and

TONY STAUFFER  
License No. 310319

15 South 300 East  
Hyrum, UT 84319

**STIPULATION AND ORDER**

Docket No. 2012-007 BB

Enf. Case No. 3068

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**STIPULATION**

1. Respondent Awesome Bail Bonds ("Agency") is a licensed bail bond surety company in the State of Utah, holding License No. 321908. Respondent Tony Stauffer is a

1TVH

licensed bail bond agent in the State of Utah, holding License No. 310319, and is the owner of Respondent Awesome Bail Bonds.

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

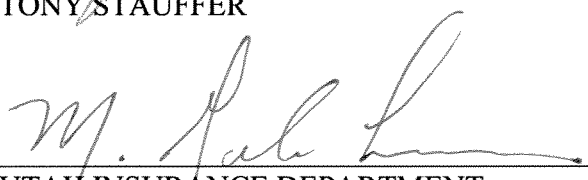
nature, having been advised fully as to their rights set forth herein.

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

DATED this 20 day of JANUARY, 2012.

  
\_\_\_\_\_  
AWESOME BAIL BONDS  
Tony Stauffer, Owner

  
\_\_\_\_\_  
TONY STAUFFER

  
\_\_\_\_\_  
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 October 14, 2011, an audit of Respondent Awesome Bail Bonds was conducted by a Department Market Conduct Examiner.
2. During the audit, it was discovered that Respondent Awesome Bail Bonds was using outdated and non-filed forms.
3. The forms the agency was using did not reflect the rule requiring a premium of a minimum of 10% of the face of the bond or additional changes made to the rule.
4. Respondent Tony Stauffer took responsibility for the violation, has since updated and corrected the agency's forms, filed them with the commissioner.
5. Complainant and Respondents have agreed to an administrative forfeiture in the amount of \$250.00.

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-35-607 requires a bail bond surety to file with the commissioner a sample copy of each form the bail bond surety uses in its business before it is first used by the agency. When changes to forms are made the agency must file a copy of the updated or changed form.
2. Respondents' failure to file with the commissioner the forms the agency was using

violated the above provision.

3. Utah Administrative Rule R590-196-4 addresses fee standards for bail bond sureties, and includes the provision that the minimum fee cannot be less than 10% of the bond amount.

4. Utah Administrative Rule 590-196-6 requires bail bond sureties and their agents to use a disclosure form which includes the 10% minimum fee disclosure.

5. Respondents' failure to update their forms to include the 10% minimum fee disclosure was a violation of the above Rules.

6. An administrative forfeiture in the amount of \$250.00 is appropriate in this matter.

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:

Respondents Awesome Bail Bonds and Tony Stauffer are hereby jointly and severally assessed an administrative forfeiture in the amount of \$250.00 to be paid to the Utah Department of Insurance within 30 days of the date of this Order.

**NOTIFICATION**

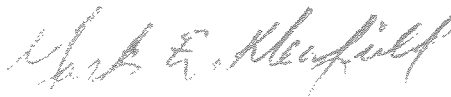
Respondents are hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to 2,500 per violation for an individual licensee and of up to \$5,000 per violation for a licensed organization, and the suspension or revocation 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 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 \_\_\_\_\_ day of JAN 24 2012, 2012.

NEAL T. GOOCH  
Insurance Commissioner



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

CERTIFICATE OF MAILING

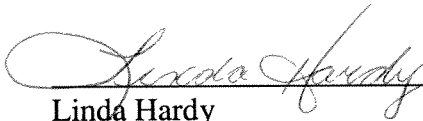
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION  
&  
ORDER

To the following:

Awesome Bail Bonds  
Tony Stauffer  
15 South 300 East  
Hyrum, UT 84319

DATED this 24<sup>th</sup> day of January, 2012



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Linda Hardy  
Market Conduct  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114-6901  
801-538-3860

**UTAH  
Invoice**

Printed Date: January 24, 2012

Invoice Date: January 23, 2012  
Balance Due: \$0.00  
Due Date: February 27, 2012  
Invoice ID: 554630

AWESOME BAIL BONDS  
15 SOUTH 300 EAST  
HYRUM UT 84319

<b>Item Description</b>	<b>Amount</b>
Monetary Penalty Agency	\$250.00
<b>Original Amount Due</b>	<b>\$250.00</b>
<b>Payments Received</b>	
1/24/2012 Check	\$250.00
<b>Balance Due</b>	<b>\$0.00</b>

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**UTAH  
Invoice**

Printed Date: January 24, 2012

Invoice Date: January 23, 2012  
Balance Due: \$0.00  
Due Date: February 27, 2012  
Invoice ID: 554630

Make checks payable to: Utah Insurance Department

Send payment to:

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



Awesome Bail Bonds  
Tony Stauffer  
15 South 300 East  
Hyrum, UT 84319