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

<p>COMPLAINANT:</p> <p>UTAH INSURANCE DEPARTMENT</p> <p>RESPONDENTS:</p> <p>CEDAR POST/JAIL BUSTERS BAIL BONDS License No. 104220</p> <p>ADAM ROGERS License No. 129163</p> 	<p>STIPULATION AND ORDER</p> <p>Docket No. 2012-099 BB</p> <p>Enf. Case No. 3141</p>
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STIPULATION

1. Respondent Cedar Post/Jail Busters Bail Bonds (“Agency”) is a licensed bail bond surety company in the State of Utah, holding License No. 104220. Respondent Adam Rogers is a

licensed bail bond agent in the State of Utah, holding License No. 129163, and is the owner and president of Cedar Post/Jail Busters 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 acknowledge that the issuance of this Order by the Commissioner is solely for purpose of disposition of the matter entitled herein.

DATED this 29 day of May, 2012.

Adam S Rogers
CEDAR POST/JAIL BUSTERS BAIL BONDS
Adam Rogers, Owner and President

Adam S Rogers
ADAM ROGERS

M. Gale Lemmon
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 December 5, 2011, a Market Conduct Examiner conducted an audit of Respondent Cedar Post/Jail Busters Bail Bonds.

2. The audit revealed that Respondents had failed to establish a “trust account” for holding collateral monies accepted to secure the bail bonds as required by statute, although Respondents did keep trust funds separate from other monies, reconciled the account monthly, and maintained an account ledger.

3. It was also discovered that Respondents were not using the disclosure form which they had filed with the Department. Specifically, the form being used did not show the correct bond premium.

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

CONCLUSIONS OF LAW

1. In failing to establish a trust account to hold funds held in a fiduciary capacity, Respondents violated Utah Code Ann. §§ 31A-23a-409 and 31A-35-607 .

2. In using a form that had not been filed with the Department, violated Utah Code Ann. § 31A-35-607.

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. Respondents Cedar Post/Jail Busters Bail Bonds and Adam Rogers are hereby jointly and severally assessed an administrative forfeiture in the amount of \$3,000.00. The sum of \$250.00 of said forfeiture is suspended pending the successful completion of the probation imposed herein. The balance of the forfeiture not suspended shall be paid within 30 days of the date of this Order.

2. Respondents' licenses are placed on probation for a period of 12 months commencing with the date of this Order. The terms of probation are:

A. Respondents shall pay the portion of the forfeiture not suspended in a timely manner;

B. Respondents shall be subject to random trust account and form audits during the period of probation; and

C. Respondents shall have no further violations of the Utah Insurance Code or Rules or of any order of the commissioner.

NOTIFICATION

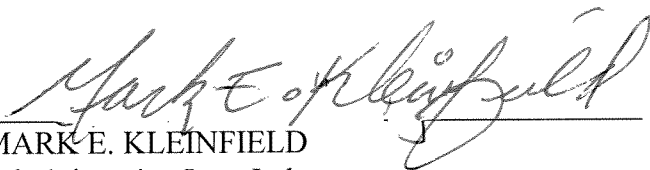
Respondents are hereby notified that failure to abide by the terms of this Order may

subject them to further penalties, including additional forfeitures of up to \$5,000.00 per violation for a licensed organization and of up to \$2,500.00 per violation for a licensed individual, 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 29 day of May, 2012.

NEAL T. GOOCH
Insurance Commissioner


MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
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Salt Lake City, Utah 84114
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