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

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<p><b>COMPLAINANT:</b></p> <p>UTAH INSURANCE DEPARTMENT</p> <p><b>RESPONDENT:</b></p> <p>GUIDEONE MUTUAL INSURANCE CO. 1111 Ashworth Road West Des Moines, Iowa 50262 NAIC ID #15032 Company ID # 641</p>	<p><b>STIPULATION AND ORDER</b></p> <p>Docket No. 2013-003 PC</p> <p>Enf. Case No. 3233</p>
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**STIPULATION**

1. Respondent, GuideOne Mutual Insurance Company is an insurer domiciled in the State of Iowa and authorized to do business in the State of Utah, Utah Company Identification No. 641.
2. Respondent stipulates 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. Respondent admits the Findings of fact and Conclusions made therefrom;
- c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and
- d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.


3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence, and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

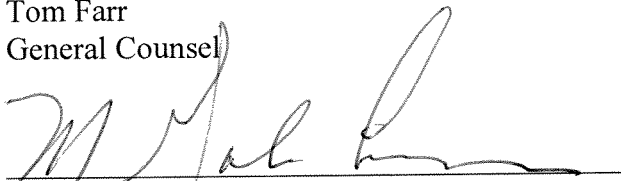
4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

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

DATED this 6<sup>th</sup> day of February, 2013.

  
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GUIDEONE MUTUAL INSURANCE CO.  
Tom Farr  
General Counsel

  
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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. Respondent GuideOne Mutual Insurance Company is an insurer domiciled in the State of Iowa and authorized to do business in the State of Utah.

2. On February 1, 1999, Respondent was granted authority by the Department of Insurance to transact insurance business in Utah for the following classes: Property; Liability; Marine & Transport; and Vehicle Liability. Authorization has continued to date.

3. On September 13, 2012, Respondent was granted authority to transact insurance business in Utah for the additional following classes: Bail Bond Surety; Surety; and Workers Compensation.

4. Prior to September 13, 2012, the Department was contacted by the Utah Labor Commission seeking verification of Respondent's authority to write Workers Compensation Insurance in Utah. At that time, Respondent was not and had never been so authorized.

5. Upon contacting Respondent, Department personnel learned that from February 1999 to September 12, 2012, Respondent wrote 72 Workers Compensation policies and received \$36,360.00 in premiums.

6. When informed of the violation above, Respondent took immediate action to apply for authorization from the Department to issue Workers Compensation Insurance, Surety Insurance, and Bail Bonds in the State of Utah.

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-4-102 states in part:

(1) A person may not conduct an insurance business in Utah in person, through an agent, through a broker, through the mail, or through another method of communication, except:

(a) an insurer:

(I) authorized to do business in Utah under Chapter 5,7,8,9,10,11,13,or 14; and

(ii) within the limits of its certificate of authority;

2. Respondent violated the above statutory provisions by writing workers' compensation insurance in Utah without authority to do so from February 1999 to September 13, 2012.

3. Because the unauthorized activity generated sales of 72 policies for Respondent, an administrative forfeiture of \$32,500.00 is appropriate.

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:**

Respondent GuideOne Mutual Insurance Company is assessed a forfeiture of \$32,500.00 to be paid to the Utah Department of Insurance within 30 days of issuance of this Order.

**NOTIFICATION**

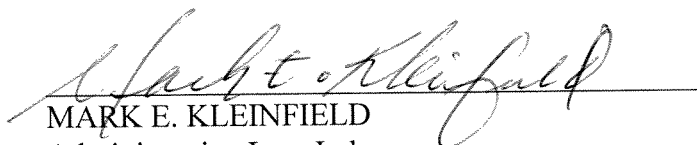
You are hereby notified that a failure to obey an Order of the Commissioner may subject

you to further penalties, including forfeiture of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures 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 7<sup>th</sup> day of February, 2013.

TODD E. KISER  
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

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:

Guideone Mutual Ins. Co.  
c/o Tom Farr  
1111 Ashworth Road  
West Des Moines, Iowa, 50262

DATED this 7<sup>th</sup> day February, 2013

A handwritten signature in cursive script, reading "Linda Hardy", is written over a horizontal line.

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

**UTAH**  
**Invoice - Original**

Printed Date: February 07, 2013  
Invoice Date: February 01, 2013  
Balance Due: \$0.00  
Due Date: February 08, 2013  
Invoice ID: 620850  
NAIC ID: 15032  
Payor ID: 641

BETH MOLLN  
GUIDEONE MUTUAL INSURANCE COMPANY  
1111 ASHWORTH ROAD  
WEST DES MOINES IA 50265

<b>Item Description</b>	<b>Amount</b>
2/1/2013 Monetary Penalty Company E-Case 3233 Docket # 2013-003 PC	\$32,500.00
<b>Original Amount Due</b>	<hr/> \$32,500.00
<b>Payments Received</b>	
2/1/2013 Check	\$32,500.00
<b>Balance Due</b>	<hr/> \$0.00

**UTAH**  
**Invoice - Original**

Invoice Date: February 01, 2013  
Balance Due: \$0.00  
Due Date: February 08, 2013  
Invoice ID: 620850  
Payor ID: 641  
Payor Name: GUIDEONE MUTUAL  
INSURANCE  
COMPANY

Make checks payable to: Utah Insurance Department

Send payment to:

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