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

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

BRIAN YOUNG HORNE

1245 North 700 East
Bountiful, UT 84010

License No.63206,

Respondent.

**MOTION TO DISMISS
AND ORDER**

Docket No. 2013-136 HL

Enforcement Case No. 3388

MOTION


Comes now, Perri Ann Babalis, Assistant Attorney General, attorney for Complainant, the Utah Insurance Department, and hereby moves for dismissal of the above captioned administrative action on the following grounds:

1. The Respondent, Brian Young Horne, together with the Complainant, the Utah Insurance Department, have agreed to the Surrender of Mr. Horne's insurance license in lieu of administrative action being taken against him. A copy of the Agreement for Surrender of

License in Lieu of Administrative Action is attached hereto as Exhibit A and incorporated herein by this reference.

DATED this 28th day of January, 2014.

SEAN D. REYES
Utah Attorney General


PERRI ANN BABALIS
Assistant Attorney General

RECEIVED

JAN 27 2014

UTAH STATE
INSURANCE DEPT

E-Case 3388



Todd E. Kiser
Insurance Commissioner
Utah Insurance Department

Gary R. Herbert
Governor

Brett Barrett
Deputy Commissioner

AGREEMENT FOR SURRENDER OF LICENSE IN LIEU OF ADMINISTRATIVE ACTION

The parties to this agreement are The Utah Insurance Commissioner ("Commissioner") and Brian Young Horne ("Licensee").

This agreement is entered into and is effective on the date herein noted below.

WHEREAS, the Utah Insurance Department ("Department") has commenced an investigation of the Licensee for alleged violation(s) of the Utah Insurance Code, Department rules and/or an order of the Commissioner, and

WHEREAS, the alleged violation(s) would have resulted in an administrative action being taken against the Licensee, and

WHEREAS, if proven, the alleged violation(s) could have resulted in the revocation of the license(s) of the Licensee, and

WHEREAS, the Licensee desires to surrender its insurance license(s) rather than have an administrative action taken against the Licensee by the Department,

IT IS HEREBY AGREED:

1. The Licensee hereby surrenders his Utah insurance license(s) to the Commissioner who hereby accepts the surrender of the Licensee's license(s) effective as of the date of this agreement.
2. This surrender is in lieu of any administrative action that may have been taken against the Licensee for any violations of the Utah Insurance Code, Department rules, or an order of the Commissioner now known to the Department.
3. This agreement, along with the allegations relating thereto, is reportable to the National Association of Insurance Commissioners (NAIC) and any other entity requesting information about the Licensee from the Department. Further, the Licensee agrees to provide information regarding this agreement to any insurance department in the United States or any of

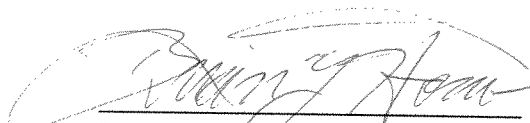
Exhibit "A"

its territories when applying for an insurance license or any other renewal thereof or to any insurer inquiring if any insurance department has taken action against the license of the Licensee.

4. The licensee may not apply for any insurance license in the State of Utah within 5 years of the date of this agreement, unless specific written permission has been received from the Commissioner.

DATED this 23 day of January, 2014.

LICENSEE SIGNATURE



Brian Young Horne
Utah Insurance License No. 63206

SEAN D. REYES
Utah Attorney General



By: Perri Ann Babilis
Assistant Attorney General, Representing
The Utah Insurance Commissioner

License Surrendered:
Type:

License No.:

ORDER

Based upon the motion of counsel, and for good cause appearing, it is

ORDERED that:

1. The administrative action captioned herein above, is hereby dismissed with prejudice.

DATED this 28 day of January, 2014.

TODD E. KISER
INSURANCE COMMISSIONER

A handwritten signature in cursive script, reading "Mark E. Kleinfeld", written over a horizontal line.

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