

PERRI ANN BABALIS #5658  
Assistant Attorney General  
SEAN D. REYES #7969  
Attorney General  
Attorneys for Utah Insurance Department  
160 East 300 South, Fifth Floor  
P.O. Box 140874  
Salt Lake City, UT 84114-0874  
Telephone (801) 366-0375  
Email: pbabalis@utah.gov

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

**UTAH INSURANCE DEPARTMENT,**

Complainant,

vs.

**LINDA SUE BARNHART,**  
License No. 434889,

Respondent.

**STIPULATION  
AND ORDER**

**Docket No.** 2014-011 LC

Enforcement Case No. 3438

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The Utah Insurance Department (“Department”), by and through its attorney, Perri Ann Babalis, Assistant Attorney General, and Linda Sue Barnhart (“Respondent”), a licensed insurance agent, hereby stipulate and agree as follows:

**STIPULATION**

1. Respondent, Linda Sue Barnhart, is a licensed insurance agent in the State of Utah,

holding License No. 434889. Respondent's mailing address is 27 North 500 West, Brigham City, Utah 84302.

2. Respondent admits that the Utah Insurance Commissioner has jurisdiction over Respondent and over the subject matter of this action.

3. Respondent acknowledges notice of action pursuant to Utah Code Ann. § 63G-4-210; further acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code Ann. § 202; and waives the right to any hearing in this matter.

4. Respondent affirms that Respondent enters into this stipulation voluntarily and knowingly.

5. Respondent affirms that the only promises, agreements, or understandings the Respondent has obtained from the Department or from an agent or representative of the Department regarding this stipulation are contained herein.

6. Respondent acknowledges that Respondent has the right to be represented by legal counsel and that Respondent has waived this right. Respondent has either sought the advice of an attorney or has voluntarily chosen not to do so.

7. The parties acknowledges that upon approval by the Respondent and the Department, this stipulation shall be made a part of the attached final Order, and shall be the final compromise and settlement of this matter, and is not subject to reconsideration, renegotiation, modification, appeal, or hearing.

8. Respondent admits that on or about August 2013, Forest Street Bail Bonds became aware that Respondent's files, with outstanding premiums due, had begun to "build up."

9. Respondent admits that on or about October 17, 2013 emails were exchanged between Respondent and Annette Jones at Forest Street Bail Bonds with Respondent acknowledging that attempts to collect premiums were past due.

10. Respondent admits that on or about November 12, 2013, Forest Street Bail Bonds conducted an audit on all of their agents' bond books and receipt books. During this audit, it was determined that one of the receipt books assigned to Respondent was missing. Additionally,

receipts and premiums collected by Respondent did not match the receipts kept by customers of Respondent.

11. Respondent admits that on or about November 25, 2013, text messages were exchanged between Respondent and Annette Jones wherein Respondent admitted to keeping some of the premiums. At that time, Respondent turned in all work-related materials with the exception of the missing receipt book.

12. Respondent admits that on or about November 27, 2013, Forest Street Bail Bonds reported a theft of premiums to the Brigham City Police, Case No. 201-006610.

13. Respondent admits that on or about December 4, 2013, Respondent obtained two (2) money orders in the amounts of \$500.00 and \$150.00, respectively, and placed them in the Forest Street Bail Bond drop box.

14. Respondent admits that on or about December 5, 2013, Annette Joes reported to the Brigham City Police that they money order mentioned above sufficiently reimbursed Forest Street Bail Bond the missing premium.

15. Respondent admits that the above acts and practices constitute violations of the Utah Insurance Code. Specifically, Respondent admits that Respondent has violated:

- a. Utah Code Ann. § 31A-23a-107, Character requirements; and
- b. Utah Code Ann. § 31A-23a-409, Trust obligation for money collected.

16. As full settlement of all of the issues raised in the stipulation, Respondent agrees as follows:

- a. Respondent agrees that her insurance license by hereby revoked.

DATED this 19<sup>th</sup> day of February, 2014.

Linda Sue Barnhart  
Linda Sue Barnhart  
Respondent

DATED this 24<sup>th</sup> day of February, 2014.

SEAN D. REYES  
Attorney General

Perri Ann Babalis  
Perri Ann Babalis  
Assistant Attorney General

Based upon the foregoing Stipulation, the Presiding Office hereby enters the following:

**ORDER**

IT IS HEREBY ORDERED:

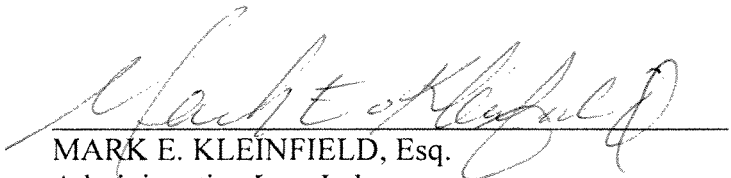
1. Respondent's insurance license, No. 434889 is hereby revoked.

NOTIFICATIONS

1. You are notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 26<sup>th</sup> day of February, 2014.

TODD E. KISER  
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  
Email: mkleinfeld@utah.gov

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:

**Linda Barnhart**  
225 N 300 E  
Brigham City, UT 84302-3217

DATED this 28<sup>th</sup> day February, 2014

  
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Linda Hardy