



## STIPULATION

1. Respondent, Infiniteam Insurance, Inc., is a licensed resident producer organization, holding license number 102980. Respondent's mailing address is 39 West 9000 South, Sandy, Utah 84070.

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 agency 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. § 63G-4-202; 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 consulted legal counsel with regards to this stipulation.

7. The parties acknowledge 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 agency review, reconsideration, renegotiation, modification, appeal, or hearing.

8. Respondent admits that from January 2011 to June 2012, Respondent solicited human

resource (HR) services at a discounted rate, which may induce a client to choose Respondent's services over those of a competitor.

9. Respondent admits that it failed to timely designate Mr. Jonathan Roquero as a producer representing Respondent, an agency. Mr. Roquero was hired by Respondent on or about April 17, 2012 and was not designated to represent the agency until July 18, 2012. Mr. Roquero should have been designated within 15 days from when he began representing Respondent.

10. Respondent admits that it failed to timely terminate the producer designations of Julie Blatter, Marshall Konzen, and Michael VanLuik. These designations should have been terminated within 30 days of terminations with the Respondent agency.

11. 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-402.5, in that Respondent solicited HR Services at a discounted rate;

b. Utah Code Ann. §§ 31A-23a-302, in that Respondent failed to designate and/or terminate its producers following either their being hired by Respondent or begin terminated by Respondent;

c. Utah Administrative Rule, R590-244-12, in that Respondent failed to designate and/or terminate its producers following either their being hired by Respondent or begin terminated by Respondent.

12. As full settlement of all of the issues raised in the stipulation, Respondent agrees to:

a. pay a forfeiture of \$5,000.00 to the Department, due within 30 days from the date of the Order;

b. be placed on probation for a period of 12 months, during which time Respondent will

have no further violations of the Utah Insurance Code or the Insurance Rules; and

c. submit all marketing materials to the Department prior to use.

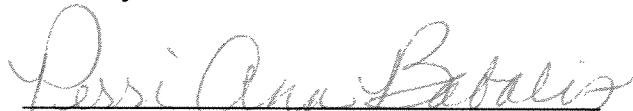
DATED this 31<sup>st</sup> day of March, 2014.



\_\_\_\_\_  
Steven D. Shemwell, President  
Infiniteam Insurance, Inc.  
Respondent

DATED this 9<sup>th</sup> day of April, 2014.

SEAN D. REYES  
Attorney General



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Perri Ann Babalis  
Assistant Attorney General

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

**ORDER**

IT IS HEREBY ORDERED:

1. Respondent, Infiniteam Insurance, Inc., is ordered to pay a forfeiture in the amount of \$5,000.00, which amount is due and owing to the Department within 30 days of the date of this Order.

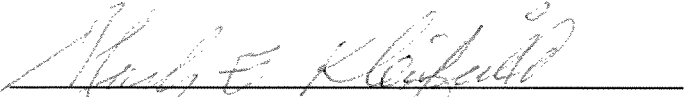
2. Respondent, Infiniteam Insurance, Inc., is placed on probation for a period of 12 months from the date of this Order.

3. Respondent, Infiniteam Insurance, Inc., will submit all marketing materials to the Department prior to use.

DATED this 10<sup>th</sup> day of April, 2014.

RECEIVED  
APR 03 2014  
UTAH STATE  
INSURANCE DEPT

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](mailto:mkleinfeld@utah.gov)

#### NOTIFICATIONS

1. Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$2,500.00 per violation.
2. You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.