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

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

NJ PESCI SCHOOL OF INSURANCE

245 West 1300 North
Pleasant Grove, Utah 84062
Provider No. 171657

Respondent.

**STIPULATION
AND ORDER**

**Docket No. 2014-034 LC
Enforcement Case No. 3464**

Judge Mark Kleinfield

The Utah Insurance Department (“Department”), by and through its attorney, Perri Ann Babalis, Assistant Attorney General, and NJ Pesci School of Insurance (“Respondent”), a licensed continuing education provider, hereby stipulate and agree as follows:

STIPULATION

1. Respondent, NJ Pesci School of Insurance, is a licensed continuing education

provider, holding provider number 171657. Respondent's mailing address is 245 West 1300 North, Pleasant Grove, Utah 84062.

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. Respondent has either sought the advice of an attorney or has voluntarily chosen not to do so.

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 it is licensed as a continuing education provider to offer self-study and classroom continuing education courses to the insurance industry. Respondent is required to electronically submit to SIRCON a course completion record on behalf of insurance licensees who have successfully completed their course study.

9. Respondent admits that it inadvertently failed to timely submit the course completion records on behalf Ms. Sarah Marie Smith, who completed course study with the Respondent.


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

a. Utah Administrative Rule, R590-142-6. Controls and Reporting of Credit Hours, in that Respondent failed to submit course completion verification to SIRCON within 14 days of course completion.

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

a. Respondent agrees to pay a forfeiture in the amount of \$1,000.00, payable within 30 days of entry of the order.

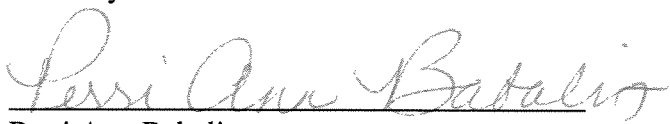
DATED this 28 day of April, 2014. *x*



NJ Pesci, Owner
NJ Pesci School of Insurance
Respondent *x*

DATED this 5th day of May, 2014.

SEAN D. REYES
Attorney General



Perri Ann Babalis
Assistant Attorney General

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

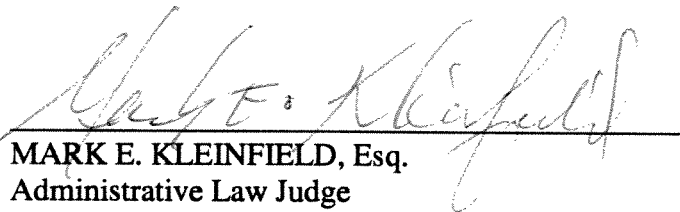
ORDER

IT IS HEREBY ORDERED:

1. Respondent, NJ Pesci, is ordered to pay a forfeiture in the amount of \$1,000.00, which amount is due and owing to the Department within 30 days from the date this Order is signed.

DATED this 6th day of May, 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

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.

CERTIFICATE OF MAILING

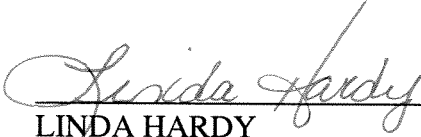
I do hereby certify that on this date I mailed, by regular mail postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

JN Pesci School of Insurance
245 West 1300 North
Pleasant Grove, UT 84062

DATED this 6th day May, 2014


LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901

**UTAH
Invoice**

Printed Date: May 06, 2014

Invoice Date: March 28, 2014
Balance Due: \$0.00
Due Date: May 02, 2014
Invoice ID: 687543

NJ PESCI SCHOOL OF INSURANCE
245 W 1300 N
PLEASANT GROVE UT 84062-3809

Item Description	Amount
Monetary Penalty Agency	\$1,000.00
Original Amount Due	\$1,000.00
Payments Received	
3/28/2014 Check	\$1,000.00
Balance Due	\$0.00

**UTAH
Invoice**

Printed Date: May 06, 2014

Invoice Date: March 28, 2014
Balance Due: \$0.00
Due Date: May 02, 2014
Invoice ID: 687543

Make checks payable to: Utah Insurance Department

Send payment to:

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