

GARY JOSEPHSON #5299
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, Utah 84114-0874
Telephone: 801-366-0375
Email: gjosephson@utah.gov

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

<p style="text-align: center;">UTAH INSURANCE DEPARTMENT</p> <p style="text-align: center;">Complainant,</p> <p>PRESTON B. LEONARD II, License No. 459584, 10564 S 1055 W, South Jordan, Ut. 84095</p> <p style="text-align: center;">Respondent.</p>	<p style="text-align: center;">STIPULATION AND ORDER</p> <p>Docket No. 2014-055 LC</p> <p>Enf. Case No. 3489</p> <p>Mark E. Kleinfield Administrative Law Judge</p>
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STIPULATION

The Utah Insurance Department (“Department”), by its legal counsel, and Preston B. Leonard II (“Respondent”) hereby stipulate and agree as follows:

1. Respondent Preston B. Leonard II currently holds an active Utah Resident Producer Insurance License No. 349584. Prior to his resident license, Respondent, then domiciled in Washington State, held a non-resident producer license- License No. 292826.

2. The Department has jurisdiction over the parties and subject matter of this administrative action.

3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-2-210; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63F-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and the Order, along with the Findings of Fact and the Conclusions of Law, shall not be subject to any reconsideration, renegotiation, modification, hearing, or agency review or appeal.

5. If an administrative hearing were held, the Department could introduce evidence supporting the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law presented below are agreed to by the parties.

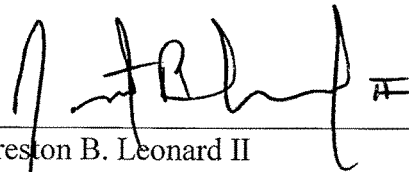
6. The issuance of the signed Order proposed below is solely for the purpose of disposing of the specific matter addressed herein.

7. The only understanding that the parties have regarding this matter are contained in this Stipulation.

8. Respondent enters into this Stipulation voluntarily, knowingly, and free from coercion of any kind.

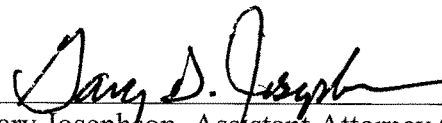
9. The persons signing this Stipulation on behalf of the named parties hereby affirm that they are authorized to sign and bind the parties.

Dated this 16th day of June, 2014.



Preston B. Leonard II
License No. 459584

Dated this 19th day of June, 2014.



Gary Josephson, Assistant Attorney General
Attorney for Utah Insurance Department

Based upon the foregoing Stipulation and information in the Division file, the Administrative law Judge makes the following Findings of Fact:

FINDINGS OF FACT

1. On August 6, 2013, Respondent was a non-resident Utah licensed producer, domiciled in the state of Washington, under License No. 292826.
2. On September 16, 2013, Respondent became a Utah resident producer under License No. 459584.
3. On August 6, 2013, Respondent, an associate of Aflac Insurance, was terminated for-cause due to alleged fraudulent wellness claims.
4. On August 6, 2013, Aflac sent a letter to the Department notifying the Department of Respondent's termination for-cause. The letter was received by the Department

on August 23, 2013.

5. On September 5, 2013, Respondent submitted to the Department an application for a resident producer license in which he responded “no” to the application question regarding any prior terminations for-cause.

6. On March 28, 2014, a market conduct examiner sent a request for explanation via email to Respondent. Respondent replied on March 28, 2014 stating that he had misread and misunderstood the question. He stated that if he had more carefully read the question, he would have responded “yes.”

7. The market conduct examiner proposed an administrative forfeiture in the amount of \$500.00. On May 12, 2014, Respondent has agreed to the proposed forfeiture.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Respondent violated Utah Code Section 31A-2-202(6), which requires that all information submitted to the commissioner be accurate and complete, when on the application for a resident producer license, he did not disclose his for-cause termination by Aflec,.

2. The Department and Respondent has agreed to imposition of an administrative forfeiture in the amount of \$500.00.

3. The \$500.00 forfeiture is appropriate under the circumstances of this case.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

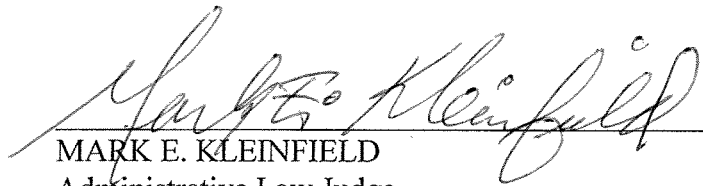
ORDER

IT IS HEREBY ORDERED:

1. Respondent Preston B. Leonard II is hereby assessed an administrative forfeiture in the amount of \$500.00
2. Respondents shall pay the administrative forfeiture of \$500.00 to the Department within thirty (30) day of the date of this Order.

DATED this 20th day of June, 2014.

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