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

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<p>UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  HY AND MIKE'S BAIL BONDING, License No. 97873,   Respondent.</p>	<p style="text-align: center;"><b>STIPULATION AND ORDER</b></p> <p>Docket No. 2014-088 BB Enforcement Case No. 3522</p> <p>Mark E. Kleinfield Administrative Law Judge</p>
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**STIPULATION**

The Utah Insurance Department ("Department"), by and through its legal counsel, Gary D. Josephson, Assistant Attorney General, and Hy and Mike's Bail Bonding ("Respondent"), hereby stipulate and agree as follows:

1. Respondent, Hy and Mike's Bail Bonding, is an active bail bond agency, holding Utah License No. 97873.
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-4-201; acknowledges that this Stipulation and Order is an informal proceeding pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and the signed Order by the Administrative Law Judge, 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 offer evidence that would support the Findings of Fact presented below; therefore, the Findings of Fact and Conclusions of Law are accepted 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 promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

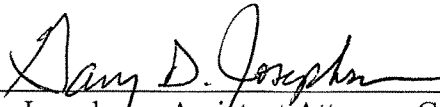
8. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

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

Dated this 21 day of AUGUST, 2014.

  
Mike G. Baucum, Authorized Representative  
Hy and Mike's Bail Bonding

Dated this 25<sup>th</sup> day of Aug, 2014.

  
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Gary Josephson, Assistant Attorney General  
Utah Insurance Department

Based upon the foregoing Stipulation and the Department file information, the Presiding Officer makes the following Findings of Fact:

**FINDINGS OF FACT**

1. In May, 2014, a Department audit of Respondent was conducted.
2. As a result of the audit, it was found that Respondent's required bail bond forms had not been updated and approved by the Department since July 16, 2003. Respondent was notified of the non-compliance and the required forms were filed on June 9, 2014. The forms were approved for use by the Department on July 9, 2014.
3. In the time period between July 16, 2010 through July 9, 2014, a total of 4,120 bonds were written by Respondent using unfiled bail bond forms.
4. The Department audit also found that Jack Holland, License No. 195576, had been designated as Respondent's bail bond agent since November 20, 2002: yet, Mr. Holland's license lapsed on November 30, 2006. Respondent did not terminate its designation of Mr. Holland until June 12, 2014.
5. On July 10, 2014, Respondent agreed to a Stipulation and Order and the forfeiture fo \$5,500.00.

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

**CONCLUSIONS OF LAW**

1. Under Utah Code § 31A-23a-302, an agency must report to the Commissioner new designations and terminated designations. Respondent violated this statute by not terminating its designation of Mr. Jack Holland until June 12, 2014. Mr. Holland's license lapsed on November 30, 2006.
  
2. Under Utah Code § 31A-35-607, a Bail Bond Surety Company is required to file with the Commissioner a copy of each form a bail bond surety company uses in the bail bond surety business. Respondent violated this rule by not submitting revisions to its July 16, 2010 Undertaking of Bail and Disclosure form until June 9, 2014. During the time period of July 16, 2010 through June 9, 2014, a total of 4,120 bonds were written by Respondent using unfiled bail bond forms.

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 is assessed a \$5,500.00 forfeiture, which is due to be paid within thirty (30) days from the date of the signing of this Order by the Administrative Law Judge.

DATED this 25<sup>th</sup> day of August, 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

**NOTIFICATION**

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeiture of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 per day for continued violation.

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