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

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<p><b>In Re The Matter of:</b></p> <p>DEE RANDALL 1376 East 400 South Fruit Heights, Utah 84037</p>	<p><b>CEASE AND DESIST ORDER</b></p> <p>Docket No. 2015-25 LF</p> <p>Enf. Case No. 3585</p> <p>Judge Mark Kleinfield Presiding Officer</p>
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COMES NOW, Todd E. Kiser, Insurance Commissioner of the State of Utah, through his presiding officer, and in support of this Cease and Desist Order states:

**JURISDICTION**

Pursuant to Utah Code Ann. § 31A-2-201 and 31A-1-105(2), the Insurance Commissioner of the State of Utah is charged with the administering and enforcing the Utah Insurance Code.

Based upon the investigation and file information of the Insurance Department, the Commissioner, through his presiding officer, enters the following findings of fact:

## FINDINGS OF FACT

1. Mr. Randall has not been licensed as an insurance producer by the Utah Department of Insurance since 2002 when his license expired.
2. On July 1, 2014, the Department received a complaint from insurance consumers, Tom and Myrna Tudor, stating that they had been visited twice by Mr. Randall who was soliciting the purchase of insurance from them. The Tudors were visited the first time by Mr. Randall only and on the second visit, Mr. Randall was accompanied by his wife, Patricia Randall, a Utah licensed insurance producer. On the second visit, Mr. Randall asked the Tudors to sign a blank insurance application and then discussed insurance premium amounts with them.
3. Upon request and as part of the investigation, Mutual of Omaha provided the Department with a list of insurance policies sold by Respondent's wife, Patricia Randall. Department investigator, Bill Stimson, contacted several of the insureds on the list. Several of the insureds stated that it was Mr. Randall who solicited the insurance business from them and that his wife was only assisting him.
4. On November 4, 2014, Jeremy Patton terminated Patricia Randall's insurance producer appointment with his insurance agency due to a consumer stating that Mr. Randall came to their house to obtain bank account information and submitted it to the insurer prematurely, which caused their bank account to be overdrawn. Mr. Patton did not ever authorize Respondent to participate in selling insurance.
5. On November 11, 2014, Attorney Wojciech Nitecki responded to the Department stating he was representing Mr. Randall and had advised Respondent not to respond to the Department or discuss this matter with anyone.

Having entered Findings of Fact, the following conclusions of law are now entered:

## CONCLUSIONS OF LAW

1. Utah Code Section 31A-23a-103 prohibits any person from engaging in activities related to soliciting and selling insurance without a valid license. Respondent violated this statute by soliciting and conducting insurance business in Utah without a valid license.

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

### ORDER

#### **IT IS HEREBY ORDERED:**

Mr. Randall shall immediately Cease and Desist from conducting any unlicensed insurance business in the State of Utah, including soliciting by any means, making or proposing to make any unauthorized insurance contract, taking or receiving or forwarding any application for insurance, collecting or receiving, in full or in part, any insurance premium or fees, issuing or delivering any insurance policy, certificate of insurance, or other evidence of an insurance contract, publishing or disseminating any advertisement or information for insurance, or representing or assisting any person to do insurance business in the State of Utah.

### NOTIFICATION

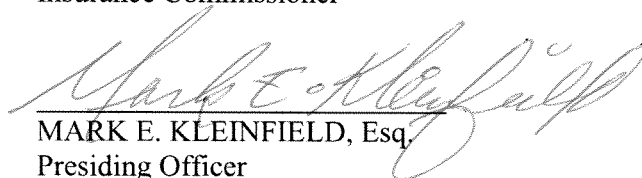
You are hereby notified that failure to obey this Order of the Commissioner, pursuant to Utah Code Ann. § 31A-2-308, will subject you to all applicable penalties, including forfeitures of up to \$5,000 per violation and the filing of an action in District Court, which may impose forfeitures of up to \$10,000 per day for any continued violation.

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

Any person contesting this Order may request a hearing, in writing; and addressed to the Presiding Officer within 15 days of the date of this signed Order.

DATED this 5 day of March, 2015.

TODD E. KISER  
Insurance Commissioner



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