

GARY D. JOSEPHSON #5299  
Assistant Attorney General  
SEAN D. REYES #7969  
Attorney General  
Attorneys for Utah Insurance Department  
160 East 300 South, Fifth Floor  
PO Box 140874  
Salt Lake City, UT 84114  
Telephone: 801-366-0375  
Facsimile: 801-366-0378

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

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<p>UTAH INSURANCE DEPARTMENT,  Complainant,  v.  POLESTAR BENEFITS, INC. 412 Jefferson Parkway, #202 Lake Oswego, OR 97035 License No. 535538  Respondent.</p>	<p style="text-align: center;"><b>STIPULATION AND ORDER</b></p> <p>Docket No. 2015-102 LC  Enf. Case No. 3661  Judge Mark E. Kleinfeld Administrative Law Judge</p>
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**STIPULATION**

The Utah Insurance Department ("Department"), by and through its legal counsel, and Polestar Benefits, Inc. ("Respondent"), hereby stipulate and agree as follows:

1. Respondent is an active Non-Resident Third Party Administrator authorized to do business in the State of Utah under License No. 535538. Respondent's business address is 412 Jefferson Parkway, #202, Lake Oswego, OR 97035.
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-4-210; 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. Respondent has the right to be represented by legal counsel and waives this right by either having sought the advice of legal counsel or by having voluntarily chosen not to do so.

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

6. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

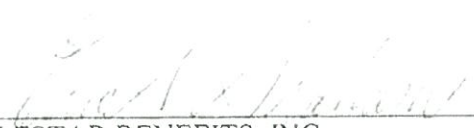
7. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

8. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

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

10. 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 10 day of September, 2015.

  
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POLESTAR BENEFITS, INC.  
Eric S. Graham, Director

Dated this 14<sup>th</sup> day of September, 2015

  
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Gary D. Josephson, Asst. Attorney General  
UTAH INSURANCE DEPARTMENT

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

**FINDINGS OF FACT**

1. On July 18, 2015, Respondent submitted an application to the Department, in which Respondent stated that no administrative actions had been taken against it.
2. The Department determined that there had previously been three administrative actions taken against Respondent in the State of Nevada. These actions were not reported to the Department.
3. On August 3, 2015 a letter was sent to Respondent outlining the alleged non-reporting violations and requesting an explanation of the prior Nevada administrative actions.
4. On August 13, 2014, the Department received a response from Respondent that included the explanation that Respondent had a change in leadership and that the new leadership was unaware of the reporting requirement. The response also included copies of the Nevada administrative orders dated July 2, 2013, March 26, 2014, and March 17, 2015. All orders were related to Respondent's failure to timely file with the State of Nevada. Copies of the checks for payment of the administrative forfeitures to Nevada were also enclosed.

5. Respondent has had no prior administrative action in Utah and was cooperative with the Department's investigation.

6. On August 24, 2015, Respondent agreed to an administrative forfeiture in the amount of \$750.00

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

**CONCLUSIONS OF LAW**

1. Utah Code Section 31A-23a-105 was violated by Respondent when it filed an application but did not report prior administrative actions taken against it in Nevada.

2. Respondent also failed to comply with Utah Admin. Code R. 590-244-4(1)(a)(d) that requires a licensee to use SIRCON or NIPR to electronically submit all documents related to prior administrative actions taken against it.

3. An administrative forfeiture in the amount of \$750.00 is appropriate under the circumstances of this matter.

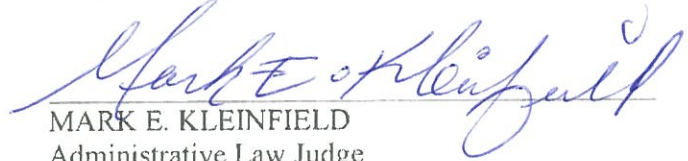
Based upon the Findings and Fact and Conclusions of Law, the Presiding Officer enters the following Order:

**ORDER**

RESPONDENT IS HERDBY ORDERED to pay an administrative forfeiture in the amount of \$750.00 to the Department within 30 days of the date of this signed Order.

DATED this 15 day of September, 2015.

TODD E. KISER  
Insurance Commissioner



MARK E. KLEINFELD  
Administrative Law Judge  
Utah Insurance Department

**NOTIFICATION TO RESPONDENT**

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures 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.