

PERRI ANN BABALIS#5658
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
Email: pbabalis@utah.gov

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

In Re The Matter of:

INVISUS, LLC
718 West 1310 North
Pleasant Grove, Utah 84062

CEASE AND DESIST ORDER

Docket No. 2015-137 PC

Enf. Case No. 3697

Judge Greg Soderberg
Presiding Officer

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. On or about April 14, 2015, the Department received a complaint from its Director of Market Conduct, Suzette Green-Wright, stating that she received a brochure for identity theft protection with iDefend Elite. The brochure lists several options to purchase identity theft protections and lists monthly plan amounts.

2. On or about April 18, 2015, the Market Conduct Examiner (“Examiner”) for the Utah Insurance Department contacted R. James Harrison, registered principal of Invisus, LLC. The Examiner discussed with Mr. Harrison that he was selling insurance without a license and needed to contact the Utah Insurance Department’s Producer Licensing Division to obtain an insurance license. Mr. Harrison explicitly denied that the iDefend Elite theft protection product was not insurance.

3. On or about October 6, 2015, an email was sent to R. James Harrison requesting that he, together with Invisus, LLC, immediately cease and desist from the unlicensed business of identity theft insurance. The email specifically required that Invisus, LLC cease from selling the unauthorized insurance by Damsel in Defense, iDefend, and iDefend Elite (collectively, the “iDefend Plans”). As of October 6, 2015, neither Invisus, LLC nor R. James Harrison had

obtained an insurance license.

4. On or about October 7, 2015, Mr. Harrison wrote “as we discussed by phone earlier this year, our company does not sell, solicit or negotiate insurance. We never have.”

5. On or about October 8, 2015, the Examiner sent another email to Mr. Harrison stating that the products offered through Invisus LLC are considered to be insurance products by the Utah Insurance Department and, therefore, Invisus LLC must immediately cease and desist from offering these products.

6. On or about November 5, 2015, the Examiner received a copy of the Master Policy issued to Invisus LLC by its underwriter, AIG. The Master Policy indicates that the iDefend Plans offered by Invisus LLC are insurance products.

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:

Invisus, LLC 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 3rd day of December, 2015.

TODD E. KISER
Insurance Commissioner



GREG SODERBERG
Presiding Officer
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 530-6706
Email: gsoderberg@utah.gov