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

**UTAH INSURANCE DEPARTMENT,**

Complainant,

vs.

**BOULDER ADMINISTRATION  
SERVICES**

P.O. Box 1046  
Boulder, MT 59632  
License # 565913

Respondent.

**STIPULATION  
AND ORDER**

**Docket No. 2016-045 LC  
Enforcement Case No. 3760**

Judge Gregory Soderberg  
Administrative Law Judge

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The Utah Insurance Department (“Department”), by and through its attorney, Perri Ann Babalis, Assistant Attorney General, and Boulder Administration Services (“Respondent”), a third party administrator, hereby stipulate and agree as follows:

## STIPULATION

1. Respondent, Boulder Administration Services, is a third party administrator, holding license number 565913. Respondent's mailing address is P.O. Box 1046, Boulder, MT 59632.

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

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 Section 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. Respondent is represented by legal counsel with regards to this Stipulation, or has chosen not to review this Stipulation with counsel.

5. This signed Stipulation, 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

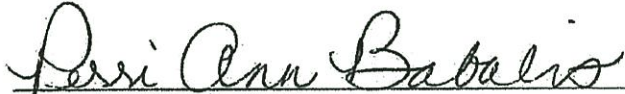
coercion of any kind.

10. The person signing this Stipulation on behalf of the named party hereby affirms that he is authorized to sign and bind the party.

Dated this 28<sup>th</sup> day of APRIL, 2016,

  
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BRUCE WAGNER on behalf of  
BOULDER ADMINISTRATION SERVICES

Dated this 27<sup>th</sup> day of April, 2016.

  
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PERRI ANN BABALIS  
Utah Assistant Attorney General for the  
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 or about February 29, 2016, the Department learned that Boulder Administration Services was acting as a third party administrator without being licensed.
2. In speaking with Bruce Wagner, owner of Boulder Administration Services, the Department learned that Mr. Wagner thought his company was licensed when he registered with the Commerce Department. The Department advised Mr. Wagner that his company needed to be licensed as a third party administrator with the Utah Insurance Department.
3. On March 18, 2016, Respondent became licensed as a third party administrator.

4. The Department learned that Respondent has been conducting the unlicensed business of a third party administrator in Utah since 2005.

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

**CONCLUSIONS OF LAW**

1. Utah Code Ann § 31A-25-201 states that a person may not perform any services as a third party administrator in Utah without a valid license. Respondent violated this section by conducting the unlicensed business as a third party administrator since 2005.

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, Boulder Administration Services, is assessed a forfeiture in the amount of \$5,000.00. The forfeiture shall be paid to the Department within 30 days of the date of this Order.

DATED this 28<sup>th</sup> day of April, 2016.

TODD E. KISER  
Insurance Commissioner

  
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GREGORY SODERBERG  
Administrative Law Judge  
Utah Department of Insurance  
State Office Building, Room 3110  
Salt Lake City, UT 84114  
Telephone (801) 530-6706

**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.