

HELEN A. FROHLICH #8814  
Assistant Attorney General  
SEAN D. REYES #7969  
Attorney General  
Attorneys for Utah Insurance Department  
160 East 300 South, 5th Floor  
P.O. Box 140874  
Salt Lake City, Utah 84114-0874  
Telephone: (801)366-0375  
Email: [hfrohlich@agutah.gov](mailto:hfrohlich@agutah.gov)

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**BEFORE THE UTAH INSURANCE COMMISSIONER**

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UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  GABRIELLE PORTER,  Respondent.	NOTICE OF AGENCY ACTION AND ORDER  Docket No. 2022-4437  Donald H. Hansen Administrative Law Judge/Presiding Officer
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (the “Department”) commences this agency action as an informal adjudicative proceeding against Respondent Gabrielle Porter (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through -203, and to Utah Admin. Code R590-160.

This agency action is based on the facts and laws set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin Code R590-160-4 and -7.

**ORDER**

Based on the facts and the laws set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondent's non-resident producer individual insurance license number 657930 is revoked.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be in writing and sent by email to [uidadmincases@utah.gov](mailto:uidadmincases@utah.gov) or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 4315 S. 2700 W., Taylorsville, UT 84129. The request for hearing shall state the basis for the relief requested.

4. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing is a failure to exhaust administrative remedies and precludes any further administrative or judicial review or appeal of this matter.

DATED this 20<sup>th</sup> day of October, 2022.

JONATHAN T. PIKE  
Utah Insurance Commissioner

/s/ Donald H. Hansen  
DONALD H. HANSEN  
Administrative Law Judge/Presiding Officer  
Utah Insurance Department  
4315 S. 2700 W., Suite 2300  
Taylorsville, UT 84129  
Telephone: 801-957-9321  
Email: [uidadmincases@utah.gov](mailto:uidadmincases@utah.gov)

**NOTICE REGARDING ENFORCEMENT OF THE ORDER**

Failure to obey the Order may subject you to further penalties that include a forfeiture of up to \$2,500 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action taken against you in a court of competent jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgement is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

## **DECLARATION**

Under criminal penalty of Utah law, I, William Stimpson, declare the following:

1. I am currently employed as a Market Conduct Examiner by the Utah Insurance Department (“Department”) where my responsibilities include investigating and enforcing Utah insurance laws.

2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order against Gabrielle Porter (“Respondent”) to which this Declaration is attached.

3. Based on my personal knowledge and based on the facts appearing in the Department’s records and files, the following facts are true:

- a. Respondent is a resident of North Carolina and holds Utah non-resident producer individual insurance license number 657930.
- b. On or about March 28, 2022, Respondent’s Indiana insurance license was suspended.
- c. On or about November 5, 2021, Respondent’s Maine insurance license was revoked.
- d. Respondent did not report her Indiana suspension to the Department within 30 days.
- e. The Department sent letters to the Respondent by email on June 8, 2022, September 15, 2022, and September 27, 2022, and by regular mail on September 14, 2022. She did not respond to any of these letters.
- f. On October 12, 2022, I called Respondent, but her voicemail was full and I was unable to leave a message.

4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

- a. Respondent violated Utah Code § 31A-23a-111(5)(b)(xvii) when her insurance license was revoked in Maine and suspended in Indiana.

- b. Respondent violated Utah Code § 31A-23a-105(2)(b) and (c) when she failed to report an administrative action in another state to the Department within 30 days of the final disposition.
  - c. Respondent violated Utah Code § 31A-2-202(4)(a) when she failed to respond to a reasonable written inquiry from the Commissioner.
5. Based on Utah Code § 31A-2-308 and consistent with prior administrative actions taken by the Department, Respondent's non-resident producer individual insurance license number 657930 should be revoked.

Signed on this 19<sup>th</sup> day of October 2022, at Salt Lake City, Utah.

/s/ William Stimpson  
William Stimpson  
Market Conduct Examiner  
Utah Insurance Department

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the foregoing Notice of Agency Action and Order, with the Declaration attached to it, was emailed to:

Gabrielle Porter  
[REDACTED]

and

William Stimpson  
Utah Insurance Department  
[REDACTED]

DATED this 20<sup>th</sup> day of October, 2022.

/s/ Jeanine Couser  
Jeanine Couser  
Utah Insurance Department  
4315 S. 2700 W., Suite 2300  
Taylorsville, UT 84129  
801-957-9321

