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BEFORE THE UTAH INSURANCE COMMISSIONER

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<p>UTAH INSURANCE DEPARTMENT,  Complainant,  vs.  RANDALL SCOTT BOLL,  Respondent.</p>	<p><b>NOTICE OF AGENCY ACTION AND ORDER</b></p> <p>Docket No. 2022-4458</p> <p>Donald H. Hansen Administrative Law Judge/Presiding Officer</p>
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**NOTICE OF AGENCY ACTION**

The Utah Insurance Department (“the Department”) commences this agency action as an informal adjudicative proceeding against Randal Scott Boll (“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 law 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 law 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 680821 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 deemed 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., Suite 2300, Taylorsville, UT 84129. The request for hearing shall be signed by the person making the request and 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 will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 9<sup>th</sup> day of January 2023.

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 this Order may subject you to further penalties that include a forfeiture of up to \$5,000 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may 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 judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding in those jurisdictions.

## **DECLARATION**

Under criminal penalty of Utah law, I, Carrie Backus, declare the following:

1. I am currently employed as a Market Conduct Examiner with 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 Informal Adjudicative Proceeding and Order against Randall Scott Boll (“Respondent”) to which this Declaration is attached.

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

a. Respondent is a Utah non-resident producer individual insurance licensee.

Respondent’s Utah license number is 680821.

b. On December 1, 2021, a federal Indictment was filed in the United States District Court for the Central District of California charging Respondent with Conspiracy to Launder Money; Money Laundering; Conspiracy to Cause a Financial Institution to Fail to File Currency Transaction Reports and to Structure Financial Transactions; and Operating an Unlicensed Money Transmitting Business. The charges stemmed from Respondent’s involvement in an illegal drug distribution scheme. (See USA v. Goldberg, et al. 8:21-cr-00214-DOC-2, United States District Court-California Central District).

c. Respondent failed to report the criminal charges to the Department as required by Utah Code § 31A-23a-105(2).

d. As a result of the criminal charges, the Department received notice that administrative actions, either suspending or revoking Respondent’s licenses, had been taken against the

Respondent in multiple other jurisdictions, including California, Washington, and Indiana beginning on April 26, 2022.

e. The Respondent failed to report any of the actions to the Department as required pursuant to Utah Code § 31A-23a-105(2).

f. On May 25, 2022, Royalyn Andrus (Andrus), a producer licensing specialist with the Department's Financial Regulation and Licensing Division, sent a letter of inquiry to the Respondent via email at [REDACTED], the Respondent's email address on record. The letter requested information regarding the administrative action taken against the Respondent in Florida on April 26, 2022.

g. Respondent failed to respond to the Department's May 25, 2022, request for information. Andrus referred the matter to the Market Conduct Division.

h. On July 15, 2022, Respondent entered his guilty plea to one felony count of Conspiracy to Structure Financial Transactions, in violation of 18 U.S.C. § 371. (See USA v. Goldberg, et al. 8:21-cr-00214-DOC-2, United States District Court-California Central District).

i. On August 9, 2022, Carrie Backus, an Examiner with the Department's Market Conduct Division, sent a second letter of inquiry to the Respondent via email at [REDACTED], as well as certified postal mail to his physical address of record. The letter requested information regarding the administrative action taken against the Respondent in Florida, as well as a subsequent administrative action taken against the Respondent in California on July 11, 2022.

j. On August 25, 2022, Respondent, through his attorney Jonathan Choi, responded to the Department's request for information. Even though Respondent had already entered into a plea agreement in the criminal case a month prior, the Respondent, through his attorney, falsely told

the Department that “Mr. Boll denies the allegations and asserts that he was not aware of any alleged criminal conspiracy or conduct. No documents reflecting the final disposition, sentencing, fines, or probation in this matter currently exist. The controversy is ongoing until Mr. Boll is afforded the opportunity to dismiss the matter on the merits.”

k. On November 3, 2022, the Department learned that the Respondent had plead guilty to a felony charge of Conspiracy to Structure Financial Transactions in the criminal case on July 15, 2022. To date, Respondent has failed to report the criminal conviction to the Department.

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

a. Utah Code § 31A-23a-105(2) by failing to report to the commissioner a criminal prosecution taken against the person in any jurisdiction within 30 days of the initial appearance before a court;

b. Utah Code § 31A-23a-105(2) by failing to report to the commissioner an administrative action taken against the person in another jurisdiction;

c. Utah Code § 31A-2-202(4)(a) by not replying promptly in writing or in other designated form to a reasonable written inquiry from the commissioner;

d. Utah Code § 31A-23a-111(5)(b)(i) by being unqualified for a license or line of authority under Section 31A-23a-104, 31A-23a-105, or 31A-23a-107;

e. Utah Code § 31A-23a-111(5)(b)(ii)(A) by violating an insurance statute as outlined above;

f. Utah Code § 31A-23a-111(5)(b)(xiv) by having been convicted of a felony;

g. Utah Code § 31A-23a-111(5)(b)(xvi) by in the conduct of business in this state or elsewhere uses fraudulent, coercive, or dishonest practices; or demonstrated incompetence, untrustworthiness, or financial irresponsibility;

h. Utah Code § 31A-23a-111(xvii) by having had an insurance license or other professional or occupational license, or an equivalent to an insurance license or registration; or other professional or occupational license or registration denied, suspended, or revoked; and

i. Utah Code § 31A-23a-111(7)(a) by failing to immediately report to the commissioner a revocation, suspension, or limitation of the person's license in another state.

5. Based on Utah Code § 31A-2-308 and other similar enforcement cases, the Respondent's insurance license should be revoked.

DATED this 4th day of January 2023, at Salt Lake City, Salt Lake County, Utah.

/s/ Carrie Backus  
Carrie Backus, 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 sent to:

Randall Scott Boll

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Jonathan Choi, Esq.  
Attorney for Respondent  
Pinnacle Legal, P.C.

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████████████████████  
████████████████████

and

Carrie Backus  
Utah Insurance Department

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DATED this 9<sup>th</sup> day of January 2023.

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