#### BEFORE THE COMMISSIONER OF THE UTAH INSURANCE DEPARTMENT

UTAH INSURANCE DEPARTMENT,

Complainant,

vs.

PERDITA ITAGIA MAFUTAGA,

Respondent

### ORDER GRANTING RESPONDENT'S WITHDRAWAL OF REQUEST FOR HEARING

Docket No. 2023-4540 Donald H. Hansen Administrative Law Judge/Presiding Officer

Respondent Perdita Itagia Mafutaga ("Respondent") timely requested a hearing after receiving the Department's Notice of Agency Action dated September 1, 2023, which denied Respondent's application for an insurance license. On October 3, 2023, a telephonic prehearing conference was conducted. The Utah Insurance Department ("Department") was represented by Helen Frohlich, Esq., Assistant Utah Attorney General. Respondent appeared without counsel and stated that she wished to proceed with an evidentiary hearing.

On October 5, 2023, based on discussions during the prehearing conference, the Presiding Officer issued a Scheduling Order and Notice of Evidentiary Hearing, setting an evidentiary hearing for November 14, 2023.

On November 2, 3023, the Respondent filed an email request that her request for hearing be withdrawn, and stated that she accepts the action imposed by the Department in its Notice of Agency Action and Order denying her license application. The Presiding Officer finds no cause to believe that Respondent's request to withdraw her appeal might be anything other than completely knowing and voluntary on Respondent's part.

Accordingly, the Presiding Officer now ORDERS:

- 1. Respondent's request to withdraw her request for a hearing is GRANTED.
- The Department's September 1, 2023 Notice of Agency Action and Order are AFFIRMED.
- 3. The evidentiary hearing scheduled for November 14, 2023, is vacated.

DATED this 3<sup>rd</sup> day of November 2023.

## JONATHAN T. PIKE UTAH INSURANCE COMMISSIONER

/s/ Donald H. Hansen Donald H. Hansen Administrative Law Judge/Presiding Officer Utah Insurance Department 4315 South 2700 West, Suite 2300 Taylorsville, UT 84129 801-957-9321 Email: uidadmincases@utah.gov

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this date a true and correct copy of the foregoing

# **ORDER GRANTING WITHDRAWAL OF REQUEST FOR HEARING** to:

Perdita Itagia Mafutaga

Helen Frohlich, Esq. hfrohlich@agutah.gov 160 E. 300 S., 5th Floor P.O. Box 140874 Salt Lake City, UT 84114-0874

DATED this 3<sup>rd</sup> day of November 2023.

/s/ Jeanine Couser Jeanine Couser Utah Insurance Department 4315 South 2700 West, Suite 2300 Taylorsville, UT 84129 801-957-9321