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FILED 

JUL 27 2010

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

MICHAEL JAY HYMAS,  
Resident Producer License No. 38236.

Docket No. 18-2623-10

**STIPULATION AND ORDER FOR  
REVOCATION OF LICENSE**

**STIPULATION**

COME NOW the Idaho Department of Insurance (the "Department"), by and through its counsel, Thomas A. Donovan, Deputy Attorney General, and Gina McBride, Consumer Services Bureau Chief, and MICHAEL JAY HYMAS, individually and by and through his counsel, Darren J. Meacham, and agree as follows:

1. That MICHAEL JAY HYMAS ("HYMAS") is and has been a licensed insurance producer in the State of Idaho, holding license No. 38236 since its original issuance date of January 30, 1996, and is therefore subject to the provisions of title 41, Idaho Code, and to the

rules of the Idaho Department of Insurance promulgated thereunder for acts occurring during that time period.

2. That on or about February 26, 2010, HYMAS entered into a plea agreement in Case No. 09-286-S-EJL, United States District Court for the District of Idaho, wherein he agreed to plead guilty to a felony charge of wire fraud, in violation of 18 U.S.C. § 1343.

3. That on or about March 4, 2010, HYMAS pled guilty to wire fraud, and his plea was accepted by the court, as noted in the court minutes for that date.

4. That Idaho Code § 41-1016(1)(f) provides that the Director of the Department of Insurance (the "Director") may impose an administrative penalty not to exceed One Thousand Dollars (\$1,000) and may revoke the producer license of any licensee who has been convicted of or pled guilty to "any felony, or to a misdemeanor which evidences bad moral character, dishonesty, a lack of integrity and financial responsibility, or an unfitness and inability to provide acceptable service to the consuming public."

5. That HYMAS is in violation of Idaho Code § 41-1016(1)(f).

6. That 18 U.S.C. § 1033(e) provides, in part, that "any individual who has been convicted of any criminal felony involving dishonesty or a breach of trust" may engage or participate in the business of insurance only with "the written consent of any insurance regulatory official authorized to regulate the insurer," *i.e.*, the Director.

7. That the Director has not issued a written consent as contemplated by 18 USC § 1033(e) to HYMAS.

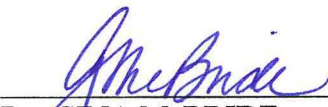
8. That, as a consequence of the violations set forth above, sufficient cause exists for, and HYMAS agrees to, a revocation of his Resident Producer License No. 38236.

9. That the Department agrees not to seek the imposition of further penalties in


connection with this incident.

10. That the parties agree that the terms of this Stipulation are appropriate and proper under the circumstances referenced herein and that they have entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby. Additionally, the parties hereby waive the right to seek reconsideration and judicial review of the attached order.

DEPARTMENT OF INSURANCE  
STATE OF IDAHO

  
By: GINA McBRIDE  
Bureau Chief, Consumer Affairs

Dated this 27 day of July 2010.


  
By: THOMAS A. DONOVAN  
Deputy Attorney General

Dated this 27<sup>th</sup> day of July 2010.

MICHAEL JAY HYMAS

  
By: MICHAEL JAY HYMAS

Dated this 27 day of July 2010.

  
By: DARREN J. MEACHAM  
Attorney for Michael Jay Hymas

Dated this 26<sup>th</sup> day of July 2010.

## ORDER

IT APPEARING FROM THE FOREGOING THAT GOOD CAUSE EXISTS, IT IS HEREBY ORDERED that the foregoing stipulation of the parties is adopted and accepted in full and made a part of this order, and that the Producer License No. 38236 issued to Michael Jay Hymas is hereby revoked effective as of the date executed by the Director.

DATED this 27<sup>th</sup> day of July 2010.

  
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WILLIAM W. DEAL, Director  
Idaho Department of Insurance

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, on this 27th day of July 2010, caused a true and correct copy of the foregoing stipulation and order to be served upon the following by the designated means:

Darren J. Meacham  
Attorney for Michael Jay Hymas  
250 S. Fifth Street, Suite 820  
Boise, ID 83702

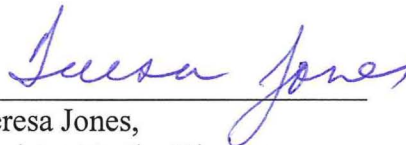
- ☒ first class mail
- ☐ certified mail
- ☐ hand delivery
- ☐ via facsimile

Michael Jay Hymas  
2881 W. Sugar Crest Drive  
Eagle, ID 83642

- ☒ first class mail
- ☐ certified mail
- ☐ hand delivery
- ☐ via facsimile

Thomas A. Donovan  
Deputy Attorney General  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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Teresa Jones,  
Assistant to the Director