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I.S.B. No. 3873

FILED *qj*  
FEB 01 2011  
Department of Insurance  
State of Idaho

*Attorneys for Idaho Department of Insurance*

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

**STATE OF IDAHO**

<b>In the Matter of:</b>	)	<b>Docket No. 18-2629-10</b>
	)	
<b>PAUL A. BOWMAN</b>	)	<b>STIPULATION and</b>
	)	<b>ADMISSION TO ONE VIOLATION</b>
<b>Resident Producer License</b>	)	<b>(Idaho Code § 41-1016(1)(j))</b>
<b>No. 28086,</b>	)	
<b>RESPONDENT.</b>	)	
_____	)	

The parties herein, namely the Idaho Department of Insurance and its counsel of record, John C. Keenan, Deputy Attorney General, and Paul A. Bowman and his counsel of record, Robert J. Kwate, Esq., attorney-at-law, do hereby agree and stipulate as follows:

1. That the Director of the Idaho Department of Insurance has jurisdiction over this matter pursuant to title 41, Idaho Code.
2. That on June 25, 2010, the Idaho Department of Insurance did file and serve a *Verified Notice of Violation and Right to Hearing* (hereinafter "Verified Notice of Violation") on the Respondent.

3. That on July 6, 2010, the Respondent filed an answer denying the allegations set forth in the Verified Notice of Violation, and the Respondent made a request for discovery.

4. That said Verified Notice of Violation set forth six counts alleging various violations of title 41, Idaho Code.

5. That Count One involved a transaction whereby Mr. Bowman allegedly misrepresented the terms of an annuity contract, i.e., rate of interest and access to fund, allegedly violating Idaho Code § 41-1016(1)(e).

6. Further, Count One involved a transaction whereby Mr. Bowman allegedly forged the name of a client on a “policy delivery receipt” and an “amendment to application” form, allegedly violating Idaho Code §§ 41-1016(1)(e), (h), & (j).

7. Further, Count One involved a transaction whereby Mr. Bowman allegedly submitted two forged documents to an insurer as part of an insurance transaction, allegedly violating Idaho Code §§ 41-1016(1)(e) & (h).

8. That Count One alleged twelve (12) separate violations of section 41-1016(1), Idaho Code.

9. That the Respondent denied these alleged violations.

10. That Count Two involved a transaction whereby Mr. Bowman allegedly forged the name of a client on a “product suitability form” without the client’s knowledge or permission, allegedly violating Idaho Code § 41-1016(1)(j).

11. That the Respondent denied this alleged violation.

12. That Count Three involved an allegation that the Respondent was doing business as "Bowman Financial" and that such business was not licensed as provided by law, allegedly violating Idaho Code § 41-1007(2).

13. That the Respondent denied this alleged violation.

14. That Count Four involved an allegation that the Respondent sold an annuity to a client who was over the age of 65 years at the time of sale and that the sale of said annuity was unreasonable, allegedly in violation of Idaho Code § 41-1940.

15. That the Respondent denied this alleged violation.

16. That Count Five involved an allegation that the Respondent had misrepresented the nature of an insurance contract, allegedly in violation of Idaho Code § 41-1016(1)(h).

17. That the Respondent denied this alleged violation.

18. That Count Six involved an allegation that the Respondent had misrepresented the nature and terms of an insurance contract, allegedly in violation of Idaho Code § 41-1016(1)(h).

19. That the Respondent denied this alleged violation.

20. That the parties hereto believe that this matter may be brought to a close by a negotiated and stipulated settlement.

21. That, based on the foregoing, the parties agree as follows:

- a. that the Respondent shall admit to one violation of forgery under Count One, Idaho Code § 41-1016(1)(j);
- b. that the remaining 16 alleged violations of title 41, Idaho Code, as set forth above herein shall be dismissed with prejudice;

- c. that the Respondent's Idaho Department of Insurance Resident Producer License No. 28086 shall be revoked;
- d. that an administrative penalty of \$1,000.00 shall be imposed;
- e. that said administrative penalty shall be suspended until such time in the future that the Respondent files an application for an insurance license with the Idaho Department of Insurance whereupon, before consideration of said application, the penalty shall be paid in full;
- f. that an appropriate final order may be entered herein by the Director of the Idaho Department of Insurance; and
- g. that, upon entry of the final order, the Respondent shall immediately return the original Idaho Resident Producer License No. 28086 to the Idaho Department of Insurance, PO Box 83720, Boise, Idaho 83720-0043.

22. That, as of the date of this Stipulation hereinbelow, the Respondent admits to one violation of Idaho Code § 41-1016(1)(j) (forging another person's name on a document relating to insurance transaction).

23. 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 Final Order to be entered herein.

24. That the parties hereto waive their right to notice and hearing at which they may be represented by counsel, present evidence, and examine witnesses. The parties hereto also waive their right to submit this matter for review by a court of competent jurisdiction.

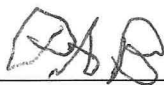


25. That the parties hereto have reviewed the proposed Final Order and agree as to its form and that said Final Order may be submitted to the Director of the Idaho Department of Insurance for his review and signature.

26. IT IS SO AGREED.

DATED this 26<sup>th</sup> day of January, 2011.

RESPONDENT

  
\_\_\_\_\_  
PAUL A. BOWMAN,  
Resident Producer License No. 28086

VERIFICATION

STATE OF IDAHO )  
                              : ss.  
County of Nez Perce

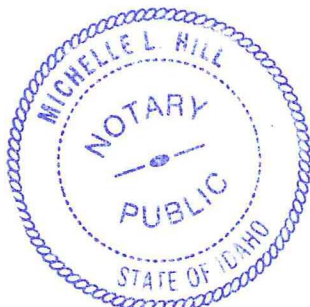
PAUL A. BOWMAN, Respondent in the foregoing matter set forth hereinabove, being first duly sworn, deposes and says:

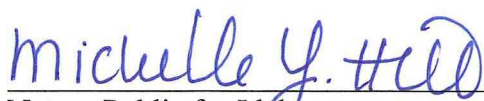
I have read the foregoing **STIPULATION and ADMISSION TO ONE VIOLATION** and I know the contents thereof and the same are true to the best of my knowledge and belief.

DATED this 26<sup>th</sup> day of January, 2011.


  
\_\_\_\_\_  
PAUL A. BOWMAN

SUBSCRIBED AND SWORN to before me this 26<sup>th</sup> day of January, 2011.




  
\_\_\_\_\_  
Notary Public for Idaho  
My Commission Expires: 06/23/2012

STIPULATION AND ORDER APPROVED AS TO FORM:

  
Robert J. Kwate, Esq.  
Attorney for Paul A. Bowman.

DATED this <sup>31<sup>st</sup></sup>~~26<sup>th</sup>~~ day of January, 2011

IDAHO DEPARTMENT OF INSURANCE

  
GINA McBRIDE  
Bureau Chief, Consumer Services

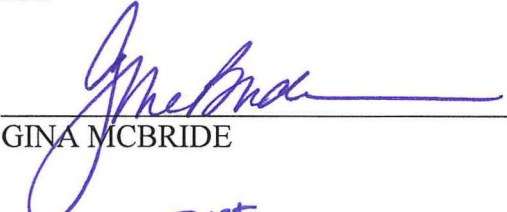
VERIFICATION

STATE OF IDAHO    )  
                              : ss.  
County of Ada        )

GINA McBRIDE, Bureau Chief, Consumer Services, Idaho Department of Insurance, on behalf of the Department in the foregoing matter set forth hereinabove, being first duly sworn, deposes and says:

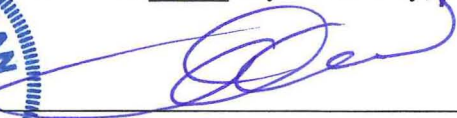
I have read the foregoing **STIPULATION and ADMISSION TO ONE VIOLATION** and I know the contents thereof and the same are true to the best of my knowledge and belief.

DATED this 31 day of January, 2011.

  
GINA McBRIDE

SUBSCRIBED AND SWORN to before me this <sup>31<sup>st</sup></sup> day of January, 2011.



  
Notary Public for Idaho

My Commission Expires: 30 Oct 2013

STIPULATION AND ORDER APPROVED AS TO FORM:

  
\_\_\_\_\_  
John C. Keenan, Deputy Attorney General  
Attorneys for Idaho Department of Insurance

LAWRENCE G. WASDEN  
ATTORNEY GENERAL

JOHN C. KEENAN  
Deputy Attorney General  
Idaho Department of Insurance  
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Department of Insurance  
State of Idaho

*Attorneys for Idaho Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
STATE OF IDAHO**

<b>In the Matter of:</b>	)	<b>Docket No. 18-2629-10</b>
	)	
<b>PAUL A. BOWMAN</b>	)	<b>FINAL ORDER and</b>
	)	<b>DISMISSAL WITH PREJUDICE</b>
<b>Resident Producer License</b>	)	<b>OF CERTAIN ALLEGATIONS</b>
<b>No. 28086,</b>	)	
<b>RESPONDENT.</b>	)	
	)	

The parties hereto, namely the Idaho Department of Insurance and licensed resident producer PAUL A. BOWMAN, along with their respective counsel of record, having entered into a STIPULATION and ADMISSION TO ONE VIOLATION on file herein, the form of the order having been approved, and the Director having reviewed the same, and having found that there is a factual basis for the matter as alleged herein, does hereby enter his Findings of Fact and Conclusions of Law as follows:



1. That Paul A Bowman did forge a client's name on a document related to an insurance transaction;

2. That such forgery is a violation of Idaho Code § 41-1016(1)(j) (forging another person's name on a document related to an insurance transaction); and,

3. That the admission of violation set forth in the STIPULATION on file herein is accepted.

And, based on the foregoing and in consideration of the premises,

**IT IS HEREBY ORDERED** that the **STIPULATION and ADMISSION TO ONE VIOLATION** on file herein is approved and adopted as an Order of the Director, and is incorporated herein as if set forth in full and made a part hereof; and,

**IT IS FURTHER ORDERED** that **PAUL A. BOWMAN's** Resident Producer License No. 28086 is hereby **REVOKED**;

**IT IS FURTHER ORDERED** that said Resident Producer License No. 28086 shall be returned forthwith to the Idaho Department of Insurance, PO Box 83720, Boise, Idaho 83720-0043;

**IT IS FURTHER ORDERED** that an administrative penalty in the amount of ONE THOUSAND DOLLARS (\$1,000.00) is imposed against Paul A. Bowman;

**IT IS FURTHER ORDERED** that said penalty is suspended until such time that Paul A. Bowman makes application for an insurance license with the Idaho Department of Insurance, whereupon said fine will be immediately due and payable before the Department of Insurance shall consider such application; and,


**IT IS FURTHER ORDERED** that all remaining allegations, not admitted to by Paul A. Bowman, as set forth in Counts One, Two, Three, Four, Five, and Six of the *Verified Notice of*

*Violation and Right to Hearing* are hereby **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

DATED this 1<sup>ST</sup> day of FEBRUARY, 2011.

IDAHO DEPARTMENT OF INSURANCE

by   
WILLIAM W. DEAL  
Director

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, on this 1st day of February 2011, caused a true and correct copy of the foregoing document to be served upon the following by the designated means:

Robert J. Kwate, Esq.  
Kwate Law Offices  
1502 G Street  
Lewiston, ID 83501

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

Allianz Life Insurance Company of North America  
Attn: Agent Licensing  
5701 Golden Hills Dr  
Minneapolis, MN 55416-1297

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

Aviva Life and Annuity Company  
418 6th Ave  
Des Moines, IA 50307

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

Bankers Fidelity Life Insurance Company  
Attn: Agent Licensing  
4370 Peachtree Rd. NE, Ste. 200  
Atlanta, GA 30319-3008

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

Family Life Insurance Company  
Attn: Agent Licensing  
6500 River Place Blvd., Bldg. 1  
Austin, TX 78730-1113

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

First Health Life & Health Insurance Company  
301 W. Bay St., Suite 2311  
Jacksonville, FL 32202

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

Great American Life Insurance Company  
Attn: Agent Licensing  
525 Vine St., Floor 7  
Cincinnati, OH 45202-3121

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

Guarantee Trust Life Insurance Company  
Attn: Agent Licensing  
1275 Milwaukee Ave.  
Glenview, IL 60025

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

Humana Insurance Company  
Attn: Agent Licensing  
1100 Employers Blvd.  
Green Bay, WI 54344

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

Loyal American Life Insurance Company  
Attn: Agent Licensing  
525 Vine St.  
Cincinnati, OH 45202

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

North Coast Life Insurance Company  
1116 W. Riverside Avenue  
Spokane, WA 99210

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

Old Republic Life Insurance Company  
Attn: Agent Licensing  
307 N. Michigan Ave.  
Chicago, IL 60601

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

The Order of United Commercial Travelers  
of America  
Attn: Agent Licensing  
1801 Watermark Dr., Ste. 100  
P.O. Box 159019  
Columbus, OH 43215-8619

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

Provident Life and Accident Insurance  
Company  
c/o UNUM Provident/G. Sherman  
1 Fountain Square, Stop 1W103  
Chattanooga, TN 37402-1307

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

Sterling Life Insurance Company  
2219 Rimland Drive  
Bellingham, WA 98226

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

Time Insurance Company  
515 W. Wells  
Milwaukee, WI 53202

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

United Heritage Life Insurance Company  
707 E. United Heritage Ct.  
Meridian, ID 83642-3527


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

United of Omaha Life Insurance Company  
Attn: Agent Licensing  
3300 Mutual of Omaha Plaza  
Omaha, NE 68175

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

Washington National Insurance Company  
11825 N. Pennsylvania Street  
Carmel, IN 46032

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

  
\_\_\_\_\_  
Teresa Jones