

LAWRENCE G. WASDEN  
Attorney General

RICHARD B. BURLEIGH, ISB No. 4032  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Telephone No. (208) 334-4219  
Facsimile No. (208) 334-4298  
[richard.burleigh@doi.idaho.gov](mailto:richard.burleigh@doi.idaho.gov)

*Attorneys for the Department of Insurance*

FILED 

SEP 12 2011

Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

HARLAN DELANO MELTON

Non-Resident Producer License No. 66397

Docket No. 18-2684-11

**STIPULATION CONCERNING  
VERIFIED COMPLAINT**

The parties herein, namely the Idaho Department of Insurance (the "Department") and its counsel of record, Richard B. Burleigh, Deputy Attorney General, and Harlan Delano Melton ("RESPONDENT"), non-resident Producer under title 41 of the Idaho Code, holding License No. 66397, and his counsel of record, Charles V. Carroll, Esq., attorney-at-law, do hereby agree and stipulate as follows:

1. That as duly authorized as a non-resident Producer in Idaho, RESPONDENT falls within the jurisdiction of the Director of the Idaho Department of Insurance ("Director") and title 41 of the Idaho Code.
2. That on April 27, 2011, the Idaho Department of Insurance did file and serve a

Verified Complaint and Right to Hearing (hereinafter "Verified Complaint") on the  
RESPONDENT.

3. That said Verified Complaint alleged various violations of title 41, Idaho Code against RESPONDENT arising out of cross border sales of state of Idaho annuity policies issued by Allianz Life Insurance Company to state of Washington residents.

4. That RESPONDENT timely filed a Request for Hearing and Objection and Response to Verified Complaint on May 17, 2011, generally denying the allegation set forth in the Verified Complaint.

5. That RESPONDENT has allowed his non-resident producer license to lapse since the Department filed the Verified Complaint.

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

6. That, based on the foregoing, the parties agree and stipulate as follows:

a. That all of the Department's allegations set forth in the Verified Complaint concerning the following individuals are hereby withdrawn and dismissed by the Department with prejudice:

Lorraine M. Zehm

Larry Zehm

Susan Gilbert

Juanita R. Winger

Louise M. Carney

Margaret M. Finn

b. That RESPONDENT admits each of the allegations as set forth in the

Verified Complaint with regard to Barbara B. Frislie, Wayne L. Kjack, and Virginia L. Toland, specifically, that with regard to the insurance policies submitted on behalf of each individual as more particularly alleged in the Verified Complaint that RESPONDENT violated Idaho Code § 41-113(2), § 41-293(1)(c), § 41-293(1)(e), § 41-1016(1)(e) and 41-1016(1)(h) all as more particularly alleged in the Verified Complaint.

c. That notwithstanding the Director authority, pursuant to Idaho Code § 41-117, to impose an administrative penalty not to exceed \$1,000 per violation of the Idaho Insurance Code the Department hereby waives any and all claim for the violations of the Idaho Insurance Code by RESPONDENT as more particularly set forth above.

d. That RESPONDENT agrees that he shall not seek a renewed or new producer license, either residential or non-residential, from the Department and that RESPONDENT shall not engage in the business of insurance in the state of Idaho.

e. That an appropriate final order may be entered herein by the Director.

7. That the parties waive their right to notice and hearing at which they may be represented by counsel, present evidence and examine witnesses.

8. That the parties hereby waive the right to seek reconsideration and judicial review of the Final Order to be entered herein.

10. That the parties hereto have reviewed the proposed Final Order, attached hereto as Exhibit A and incorporated herein by this reference, and agree as to its form and that said Final Order may be submitted to the Director for review and signature.

9. 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.

AGREED THIS 6<sup>th</sup> day of September, 2011.

By: Harlan Delano Melton  
HARLAN DELANO MELTON

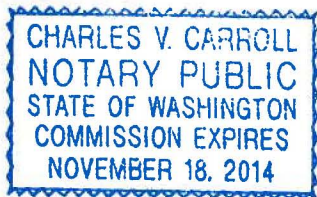
Approved as to Form:  
By: Charles V. Carroll  
Charles V. Carroll, Esq.  
Attorney for Harlan Delano Melton

STATE OF Washington ) ss.  
County of Spokane

On this 6<sup>th</sup> day of September, 2011, before me, the undersigned, a Notary Public in and for said State, personally appeared Harlan ~~Delano~~ Melton, in his individual capacity, who executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said individual, for the uses and purposes therein mentioned.

WITNESS MY HAND and official seal hereto affixed the day, month and year in this certificate first above written.


My commission expires: 11-18-2014



Charles V. Carroll  
Notary Public in and for the  
State of ~~Idaho~~ Washington  
Residing at Spokane


AGREED THIS 9<sup>th</sup> day of September, 2011.

IDAHO DEPARTMENT OF INSURANCE

By:   
Gina McBride  
Bureau Chief, Consumer Services,  
Idaho Department of Insurance

Approved as to Form:

OFFICE OF THE ATTORNEY GENERAL

By:   
Richard B. Burleigh  
Deputy Attorney General  
Attorney for the Idaho Department of Insurance

LAWRENCE G. WASDEN  
Attorney General

RICHARD B. BURLEIGH, ISB No. 4032  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Telephone No. (208) 334-4219  
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[richard.burleigh@doi.idaho.gov](mailto:richard.burleigh@doi.idaho.gov)

*Attorneys for the Department of Insurance*

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Department of Insurance  
State of Idaho

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

In the Matter of:

HARLAN DELANO MELTON

Non-Resident Producer License No. 66397

Docket No. 18-2684-11

**FINAL ORDER**

The parties herein, namely the Idaho Department of Insurance (the "Department") and its counsel of record, Richard B. Burleigh, Deputy Attorney General, and Harlan Delano Melton, non-resident Producer under title 41 of the Idaho Code, holding License No. 66397, and his counsel of record, Charles V. Carroll, Esq., attorney-at-law, having entered into a STIPULATION CONCERNING VERIFIED COMPLAINT on file herein, and the Director having reviewed the same, does hereby enter this Final Order as follows:

1. That Harlan Delano Melton, as a duly authorized as an Idaho non-resident Producer holding license No. 66397 during all times relevant under the Verified Complaint, falls within the jurisdiction of the Director of the Idaho Department of Insurance and title 41 of the

Idaho Code.

2. That Harlan Delano Melton stipulated to the violation of Idaho Code § 41-113(2), § 41-293(1)(c), § 41-293(1)(e), § 41-1016(1)(e) and 41-1016(1)(h) as a result of his actions arising out of cross border sales of state of Idaho annuity policies issued by Allianz Life Insurance Company to state of Washington residents, specifically, Barbara B. Frislie, Wayne L. Kjack, and Virginia L. Toland.

3. That Harlan Delano Melton allowed his non-resident producer license to lapse.

4. That the Department and Harlan Delano Melton agreed to resolve this matter by stipulation, a copy of which has been filed with the Director and which has been reviewed and approved.

Based on the foregoing and in consideration of the premises,

**IT IS HEREBY ORDERED** that the STIPULATION CONCERNING VERIFIED COMPLAINT 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 the Department's Verified Complaint to the extent it concern allegations regarding Lorraine M. Zehm, Larry Zehm, Susan Gilbert, Juanita R. Winger, Louise M. Carney, Margaret M. Finn, is hereby dismissed with prejudice; and,

**IT IS FURTHER ORDERED** that Harlan Delano Melton shall not seek to renew his non-resident producer license no. 66397, or obtain a new Idaho resident or non-resident producer license or practice the business of insurance in Idaho.

**IT IS FURTHER ORDERED** that no penalty shall be assessed against Harlan Delano Melton for the stipulated violations of the Idaho Code as set forth herein.

**IT IS SO ORDERED.**

DATED this 12<sup>TH</sup> day of September, 2011.

  
\_\_\_\_\_  
WILLIAM W. DEAL, Director  
IDAHO DEPARTMENT OF INSURANCE



I HEREBY CERTIFY that I have, on this 12th day of September, 2011, caused a true and correct copy of the foregoing FINAL ORDER to be served upon the following by the designated means:

Charles V. Carroll, Esq.  
Law Offices of Charles V. Carroll, PLLC  
522 W. Riverside, Ste. 420  
Spokane, WA 99201

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

Jean R. Uranga  
Hearing Officer  
P.O. Box 1678  
Boise, ID 83701

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

Hartford Life Insurance Company  
200 Hopmeadow Street  
Simsbury, CT 06089-9793

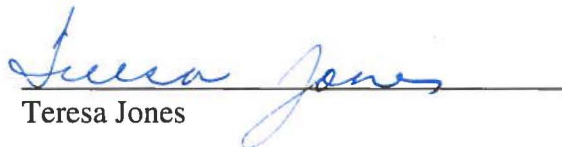
☒ first class mail  
☐ certified mail  
☐ hand delivery  
☐ via facsimile

Jackson National Life Insurance Company  
1 Corporate Way  
Lansing, MI 48951

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

Hartford Life And Annuity Insurance Company  
200 Hopmeadow Street  
Simsbury, CT 06089-9793

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

  
Teresa Jones