

LAWRENCE G. WASDEN
ATTORNEY GENERAL

FILED *fig*

DEC 09 2011

Department of Insurance
State of Idaho

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Attorneys for Idaho Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

Docket No. 18-2692-11

DAVID W. REICHEL, T,

STIPULATION

Resident Producer License No. 150495.

COMES NOW, the staff of the Department of Insurance, State of Idaho and Respondent,
do hereby stipulate and agree 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 September 23, 2011, the Idaho Department of Insurance did file and serve a *Verified Notice of Violation and Notification of Rights* (hereinafter "Verified Notice of Violation") on the Respondent.

3. That on October 14, 2011, the Respondent filed an answer denying the allegations set forth in the Verified Notice of Violation.

4. That said Verified Notice of Violation set forth certain facts alleging a violation of sections 41-1024 and 41-1030, Idaho Code.

5. That Respondent admits herein to the alleged violation of title 41, Idaho Code, including sections 41-1024 and 41-1030, Idaho Code.

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

- a. that an administrative penalty of \$1,000.00 shall be imposed; and,
- b. that an appropriate final order may be entered herein by the Director of the Idaho Department of Insurance.

7. That the parties agree that the terms of this Stipulation are appropriate under the circumstances referenced herein, and that they have consulted legal counsel and 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.

8. 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.

9. 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.

For the Respondent:

Dated this 6 day of December, 2011.

:

RESPONDENT



DAVID W. REICHELT

VERIFICATION

STATE OF IDAHO)
 : ss.
County of _____)

DAVID W. REICHELT, Respondent in the foregoing matter set forth hereinabove, being first duly sworn, deposes and says:

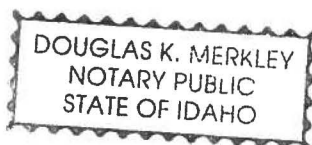
I have read the foregoing **STIPULATION** and I know the contents thereof and the same are true to the best of my knowledge and belief.


DATED this 6 day of December, 2011.



DAVID W. REICHELT

SUBSCRIBED AND SWORN to before me this 6th day of December, 2011.





NOTARY PUBLIC FOR IDAHO
My Commission Expires: 1-19-2015

For the Idaho Department of Insurance:

DATED this 9th December day of January, 2011

IDAHO DEPARTMENT OF INSURANCE

Georgia Siehl
GEORGIA SIEHL
Bureau Chief, Company Activities Bureau

VERIFICATION

STATE OF IDAHO)
: ss.
County of Ada)

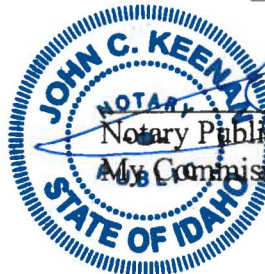
GEORGIA SIEHL, Bureau Chief, Company Activities Bureau, Idaho Department of Insurance, on behalf of the Department in the foregoing matter set forth hereinabove, being first duly sworn, deposes and says:

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

DATED this 9th day of December, 2011.

Georgia Siehl
GEORGIA SIEHL

SUBSCRIBED AND SWORN to before me this 9th day of December, 2011.



Notary Public for Idaho
My Commission Expires: 30 OCT 2013

LAWRENCE G. WASDEN
Attorney General

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Deputy Attorney General
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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

In the Matter of:

DAVID W. REICHELT,

Resident Producer License No. 150495.

Docket No. 18-2692-11

ORDER

The Director, having reviewed the Stipulation executed by all of the parties hereto, does hereby enter his Findings and Conclusions and this Final Order, and, in consideration of the premises, the Director finds:

1. That the Director has jurisdiction over this matter pursuant to title 41, Idaho Code.
2. That the Stipulation entered into by the parties is hereby accepted by the Director.
3. That, based on the facts as alleged and as stated in the Stipulation entered herein, the

Director finds that the Respondent did violate Idaho Code §§ 41-1024 and 41-1030;

THEREFORE, based on the foregoing, the Director enters the following Order:

IT IS HEREBY ORDERED that the Stipulation executed by the parties hereto is fully ADOPTED and incorporated in this Order as if set forth in full;

IT IS FURTHER ORDERED that an administrative penalty in the sum of One Thousand Dollars (\$1,000.00) is hereby imposed on DAVID W. REICHEL; and,

IT IS FURTHER ORDERED that at the time this Order becomes final by operation of law, the above-entitled matter is dismissed with prejudice.

IT IS SO ORDERED.

DATED THIS 9TH day of DECEMBER, 2011.

STATE OF IDAHO
DEPARTMENT OF INSURANCE


WILLIAM W. DEAL
Director

NOTIFICATION REGARDING REPORTABLE PROCEEDINGS

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's online searchable database. Be aware that this proceeding must be disclosed on any license application and must be reported to any and all states in which you hold an insurance license.

NOTIFICATION OF RIGHTS

This is a final order of the Department. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered

denied by operation of law. *See* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
 - ii. The final agency action was taken,
 - iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
 - iv. The real property or personal property that was the subject of the agency action is located.
-

An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 9th day of December 2011, I caused a true and correct copy of the foregoing document to be served upon the following by the designated means:

Douglas K. Merkley, Esq.
315 W. Center, Suite 210
P.O. Box 4389
Pocatello, ID 83205-4389

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

John C. Keenan
Deputy Attorney General
700 W. State Street, 3rd Floor
Boise, Idaho 83720-0043

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

Jessie Jones