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AUG 07 2012

Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

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

In the Matter of:)	
)	Docket No. 18-2788-12
The Application for a Resident Insurance)	
Producer License of:)	STIPULATION AND ORDER
)	ISSUING TEMPORARY LICENSE
MICHAEL L. MARQUARDT)	PURSUANT TO IDAHO CODE
)	§ 41-1015(2)
_____)	

STIPULATION

COME NOW the State of Idaho, Department of Insurance (Department), and MICHAEL L. MARQUARDT, applicant for an Idaho Resident Insurance Producer License, and stipulate and agree as follows:

1. On or about July 18, 2012, the Department received an application for an Idaho resident insurance producer license submitted by MICHAEL L. MARQUARDT (the Applicant). The Applicant resides in Boise, Idaho.
2. On February 2, 2009, the Applicant pled guilty in the District Court of the Fourth Judicial District in and for Ada County to the crime of domestic violence, a felony, pursuant to

Idaho Code §§ 18-903 and 18-918(2). On March 16, 2009, the Applicant was sentenced to a fixed prison term of two (2) years and an indeterminate term of up to eight (8) years. On September 9, 2009, the Court suspended the Applicant's sentence and placed him on probation for ten (10) years, imposing several conditions.

3. In May of 2007, the Applicant pled guilty in the District Court of the Fourth Judicial District in and for Ada County to the felony offense of operating a motor vehicle while under the influence of alcohol, in violation of Idaho Code § 18-8004. In June of 2007, the Applicant was placed on probation for a period of five (5) years, with certain conditions imposed by the court. The Applicant also pled guilty to driving under the influence of alcohol in 2001 and 2005, in Ada County, Idaho.

4. The Applicant has provided documentation to the Department indicating that he has received counseling and has maintained sobriety for almost four (4) years. He also provided several letters of support from family and community members.

5. The Applicant is currently employed by Ballard & Company, Inc., a Boise insurance agency. Donald (Sid) Ballard, an Idaho-licensed insurance agent, has agreed to act as a sponsor for the Applicant during the period of any temporary licensure of the Applicant by the Department. Mr. Ballard's agreement to act in that capacity is reflected in his statement, which is attached hereto as Exhibit A.

6. The Applicant agrees that he will comply with the Idaho Insurance Code, title 41, Idaho Code, and all rules promulgated thereunder, and will conduct himself in a professional, competent, and exemplary manner in all insurance transactions he engages in while he holds a Temporary Idaho Resident Insurance Producer License as contemplated by this Stipulation and Order, and at all times thereafter while licensed as an Idaho insurance producer.

7. The Applicant understands and agrees that, at the conclusion of the one hundred eighty (180) day period of the Temporary Idaho Resident Insurance Producer License contemplated by this Stipulation and Order, the Department will conduct a review of the Applicant's insurance activities during that time period and determine whether it is appropriate to issue a permanent Resident Insurance Producer License to the Applicant at that time, or to revoke such temporary license.

8. Based on the foregoing, the Department recommends that the Director issue to the Applicant a Temporary Idaho Resident Insurance Producer License as soon as practicable, which license shall be effective for a period of no longer than one hundred eighty (180) days, at which time the Director shall determine whether to revoke such license or issue a permanent Idaho Resident Insurance Producer License to the Applicant, as deemed appropriate under the circumstances.

9. If, at any time during the pendency of the Temporary Resident Insurance Producer License issued to the Applicant, Donald (Sid) Ballard withdraws as the Applicant's "suitable sponsor," the Applicant must immediately seek and obtain an alternate "suitable sponsor," that is acceptable to the Director, so that there is no gap in service in that position. Failure to do so may result in revocation of the Applicant's Temporary Resident Insurance Producer License.

10. While the Temporary Idaho Resident Insurance Producer License is in place, the Director may revoke such license at any time, without notice or prior hearing, if the Director determines that the interests of insureds or the public are endangered.

11. As reflected by their signatures below, the Department and the Applicant agree that this matter shall be fully and finally resolved, subject to the terms set forth herein, and

request that the Director adopt this Stipulation and issue a Temporary Resident Insurance Producer License to the Applicant.

DATED this 3RD day of ~~July~~, 2012.

August

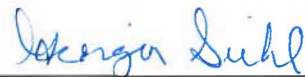


MICHAEL L. MARQUARDT,
Applicant

DATED this 7th day of ~~July~~, 2012.

August

STATE OF IDAHO
DEPARTMENT OF INSURANCE



GEORGIA SIEHL, CPA, CFE
Bureau Chief, Company Activities

ORDER

Upon review of the foregoing, and good cause appearing therefor,

IT IS HEREBY ORDERED that the Stipulation set forth above, entered into between the Department and the Applicant, is APPROVED;

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-1015(2), that a Temporary Resident Insurance Producer License, pursuant to the terms set forth in the above Stipulation, be issued to MICHAEL L. MARQUARDT, effective immediately. The term of such temporary license shall be for a period of one hundred eighty (180) days from the date of issuance, unless earlier revoked, pursuant to the requirements of Idaho Code § 41-1015(2).

DATED this 7th day of August, 2012.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



WILLIAM W. DEAL
Director

EXHIBIT A

State of Idaho)
 : ss
County of ADA)

DONALD (SID) BALLARD hereby states and certifies as follows:

(1) I am a licensed insurance producer in the state of Idaho, holding Idaho Resident Insurance Producer License No. 5536 since June 18, 1975. I conduct an insurance business in Boise, Idaho, under the name of Ballard & Company, Inc.

(2) I am currently the employer of MICHAEL L. MARQUARDT. Mr. Marquardt has recently applied to the Idaho Department of Insurance for the issuance of a Resident Insurance Producer License so that he can engage in the transaction of insurance. I expect that Mr. Marquardt will be engaging in insurance transactions for and on behalf of my company, Ballard & Company, Inc., under my direction and supervision.

(3) I am aware of Mr. Marquardt's past circumstances as set forth in the Stipulation portion of this document. Notwithstanding my knowledge of those circumstances, I am willing to act as Mr. Marquardt's "suitable sponsor," pursuant to Idaho Code § 41-1015(2), and assume responsibility for all of his insurance-related transactions during the pendency of the Temporary Insurance Producer License contemplated herein.

(4) As Mr. Marquardt's "suitable sponsor," I agree to report to the Department of Insurance any and all incidents or problems with Mr. Marquardt's conduct related to his engaging in insurance transactions either on behalf of my company, or otherwise, that would reflect on his fitness to engage in the insurance business, during the pendency of Mr. Marquardt's Temporary Insurance Producer License.

(5) If at any time I should decline to serve as Mr. Marquardt's "suitable sponsor," or if Mr. Marquardt leaves employment with Ballard & Company, Inc., I agree to provide thirty (30) days' advance written notice to the Department.

DATED this 2nd day of ~~July~~ 2012.

August

Donald Sid Ballard
DONALD (SID) BALLARD

Subscribed and sworn to before me this 2nd day of ~~July~~ 2012.

August



Tina Moffat
Notary Public for Idaho
My Commission Expires: 1-3-14

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of August, 2012, I served a true and correct copy of the foregoing STIPULATION AND ORDER ISSUING TEMPORARY LICENSE PURSUANT TO IDAHO CODE § 41-1015(2) upon the following by the designated means:

Michael L. Marquardt
928 W. Main Street, Apt. 304
Boise, ID 83702-5774

☒ U.S. mail, postage prepaid
☐ Certified mail
☐ Via facsimile

Donald (Sid) Ballard
Ballard & Company, Inc.
851 E. Fairview Avenue
Meridian, ID 83642-1806

☒ U.S. mail, postage prepaid
☐ Certified mail
☐ Via facsimile

A. René Martin
Deputy Attorney General
Idaho Department of Insurance
P.O. Box 83720
Boise, ID 83720-0043

☒ Hand Delivery


TERESA JONES