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FILED 

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Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

ELITE SALES PROCESSING, INC.,
Third Party Administrator License No. 379570,

Respondent.

Docket No. 18-2808-12

**STIPULATION AND ORDER
RESOLVING VIOLATION OF IDAHO
INSURANCE CODE**

The parties herein, namely the Idaho Department of Insurance (“**Department**”) and its counsel of record, Richard B. Burleigh, Deputy Attorney General, and ELITE SALES PROCESSING, INC., Third Party Administrator License No. 379570, do hereby agree and stipulate to the following facts and conclusions of law:

1. That the Director of the Idaho Department of Insurance has jurisdiction over this matter pursuant to title 41, Idaho Code.
2. That ELITE SALES PROCESSING, INC. (“**Respondent**”), was granted Third Party Administrator (“**TPA**”) License No. 379570 effective as of June 7, 2011.
3. That Respondent’s TPA License No. 379570 is scheduled to expire as of January 1, 2013.

4. That, pursuant to Idaho Code § 41-914, all licensed TPAs are required to file an annual report with the Department on or before July 1 of each year.

5. That Respondent failed to file its annual report at any time prior to, on or after July 1, 2012.

6. That Respondent continues to operate as an administrator in Idaho notwithstanding its failure to comply with the requirements of the Idaho Code.

7. That, pursuant to Idaho Code § 41-915(2)(a), the Department may seek revocation of Respondent's TPA license for failure to comply with the Idaho Code

8. That, pursuant to Idaho Code §§ 41-117 and 41-915(4), the Department may seek general penalties against Respondent of up to five thousand dollars (\$5,000.00) per violation of the Idaho Insurance Code.

9. That, in lieu of a contested enforcement action, the parties agree that this matter can be brought to a close by a negotiated and stipulated settlement.

10. Respondent therefore agrees as follows:

- a. Respondent shall pay a five hundred dollar (\$500.00) penalty to the Department within ten (10) business days following the execution of this Stipulation.
- b. Respondent shall file an annual report as required by Idaho Code § 41-914 within thirty (30) days from the execution of this Stipulation.
- c. If Respondent fails to comply with the preceding, Respondent agrees that the Department may revoke Respondent's TPA license without further notice or hearing.

11. Respondent acknowledges that it has had the opportunity to consult with counsel concerning this Stipulation. Respondent waives its right to notice and hearing at which it may be

represented by counsel, present evidence and examine witnesses. Respondent waives its right to submit this matter for review by a court of competent jurisdiction.

12. 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.

13. The parties hereby waive the right to seek reconsideration and judicial review of this Stipulation or the violations of the Idaho Code referenced herein.

[Signatures on following pages.]

AGREED THIS 30 day of November, 2012.

ELITE SALES PROCESSING, INC.
a Nebraska corporation

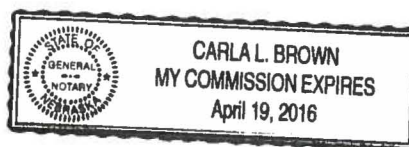
By: Chad M. Gracey
Name: CHAD M. GRACEY
Its: PRESIDENT

STATE OF Nebraska)
) ss.
County of Douglas)

On this 30th day of November, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared Chad Gracey, the President of ELITE SALES PROCESSING, INC., a Nebraska corporation, who executed the foregoing instrument on behalf of said company, and acknowledged to me that the said instrument is the free and voluntary act and deed of said company, 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.

Carla L. Brown
Notary Public in and for the
State of Nebraska
Residing at 5004 N 140th St - Omaha NE
My commission expires: 4.19.2016



AGREED THIS 4th day of December, 2012.

IDAHO DEPARTMENT OF INSURANCE

W. R. Min Deputy Chief Examiner

By: For Georgia Siehl

Georgia Siehl, CPA, CFE
Bureau Chief, Chief Examiner
Idaho Department of Insurance

Approved as to Form:

OFFICE OF THE ATTORNEY GENERAL
STATE OF IDAHO

By: [Signature]

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

IT IS SO ORDERED.

DATED this 3RD day of December, 2012.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

William W. Deal

WILLIAM W. DEAL
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of December, 2012, I caused a true and correct fully-executed copy of the foregoing STIPULATION RESOLVING VIOLATION OF IDAHO INSURANCE CODE to be served on the following by the designated means:

Elite Sales Processing, Inc.
Attn: Chad Gracey
11205 Wright Circle, Ste. 120
Omaha, NE 68144-4719

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

Richard B. Burleigh
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

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


Teresa Jones