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**FILED**   
**NOV 13 2014**  
Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

BADER COMPANY,

An Indiana corporation holding Idaho Non-  
resident Producer License No. 108568 and  
Idaho Independent Adjuster License No.  
384104,

Respondent.

Docket No. 18-2929-14

STIPULATION AND FINAL ORDER

**STIPULATION**

The Idaho Department of Insurance (hereinafter "Department") and Respondent BADER COMPANY (hereinafter "BADER") hereby agree and stipulate as follows:

1. The Director of the Department has jurisdiction over this matter pursuant to title 41, Idaho Code.
2. On March 11, 2014, the Department filed and served a *Verified Complaint and Notification of Rights* (hereinafter "Verified Complaint") on BADER.

3. The Verified Complaint alleges in Count One that BADER violated Idaho Code §§ 41-1017(1) and 41-1016(1)(b) by paying a commission, service fee, or other valuable consideration to another entity for selling, soliciting or negotiating insurance without that entity being duly licensed as required by Idaho law.

4. The Verified Complaint alleges in Count Two that BADER violated Idaho Code § 41-1016(1)(d) for knowingly accepting insurance business from individuals who are not properly licensed as insurance producers.

5. The Verified Complaint alleges in Count Three that BADER violated Idaho Code §§ 41-1314(1) and 41-1016(1)(b) for offering as an inducement to the sale of insurance, in a written agreement, a rebate to another entity in a certain sum for the sale of insurance.

6. The Verified Complaint alleges in Count Four that BADER violated Idaho Code §§ 41-1850(7) and 41-1016(1)(b) when it knowingly issued certificates of insurance to individual tenants of self-storage facilities, which certificates purported to extend coverage provided under an existing insurance policy.

7. On May 13, 2014, BADER filed an Answer to the Verified Complaint.

8. The parties hereto believe that this matter may be settled by a negotiated and stipulated settlement.

9. For purposes of settlement and in consideration of the foregoing recitals and of the Director's dismissal of the above-entitled matter with prejudice upon payment in full of the penalty as ordered:

- a. BADER admits to one violation of Count One of the Verified Complaint, one violation of Count Two of the Verified Complaint,

one violation of Count Three of the Verified Complaint, and one violation of Count Four of the Verified Complaint.

- b. The Director of the Department may enter a Final Order imposing an administrative penalty against BADER in the amount of Fifteen Thousand Dollars (\$15,000.00), due and payable immediately upon entry of said Final Order.

10. Before executing this Stipulation, BADER has had the opportunity to review this Stipulation with an attorney of its choice and to seek appropriate advice and counsel relating thereto.

11. The terms of this Stipulation are appropriate and proper under the circumstances referenced herein; and the parties hereto have entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby.

12. BADER stipulates and agrees that the dismissal with prejudice of the above-entitled action (1) does not in any way negate its admission herein of violations of sections of title 41, Idaho Code, as stated hereinabove; (2) does not negate the continued effectiveness of the Final Order; and (3) does not impair the Department's right to exercise any of its remedies in the event BADER violates the Final Order.

13. 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 further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

### **FINAL ORDER**

The parties hereto, namely the Idaho Department of Insurance and BADER COMPANY, having entered into the foregoing Stipulation, the form of the order having been approved, and the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein and does hereby conclude that BADER COMPANY did violate Idaho law as stated in the Stipulation;

**NOW, THEREFORE**, based on the foregoing and in consideration of the premises,

**IT IS HEREBY ORDERED** that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof.

**IT IS FURTHER ORDERED** that an administrative penalty in the amount of Fifteen Thousand Dollars (\$15,000.00) is imposed against BADER COMPANY, which penalty is due and payable immediately.

**IT IS FURTHER ORDERED** that, upon payment in full of the administrative penalty imposed hereinabove, (a) the Stipulation and Final Order shall be the full and final resolution of any and all claims and issues arising under the Verified Complaint, and (b) this Final Order shall operate to dismiss this administrative action with prejudice without further order or other action by the Director.

**IT IS FURTHER ORDERED** that the dismissal with prejudice of the above-entitled action does not in any way negate BADER COMPANY's admission that it violated certain sections of title 41, Idaho Code, as stated hereinabove; does not negate the continued effectiveness of this Final Order; and does not impair the Department's right to exercise any of its remedies in the event that BADER COMPANY violates this Final Order.

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14. 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 Department for his review and signature.

**IT IS SO AGREED.**

DATED THIS 10<sup>th</sup> day of November, 2014.

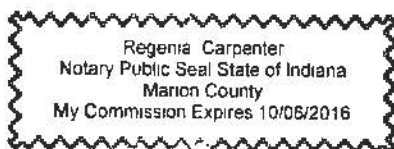
RESPONDENT  
**BADER COMPANY**

By Maureen Lee  
Maureen Lee  
Its President

STATE OF Indiana )  
County of Marion ) ss.

I, Regenia Carpenter, a notary public, do hereby certify that on this 10<sup>th</sup> day of November, 2014, personally appeared before me, President/Maureen Lee, who, being by me first duly sworn, declared that he/she is the President of BADER COMPANY, that he/she signed the foregoing document as President, of said BADER COMPANY, and that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Regenia Carpenter  
Notary Public  
Residing at Marion County  
My commission expires 10-6-16

**STIPULATION AND FINAL ORDER APPROVED AS TO FORM:**

By: Richard A. Riley  
Richard A. Riley, Esq.  
Hawley Troxell Ennis & Hawley LLP  
Attorneys for BADER COMPANY

DATED THIS 12<sup>th</sup> day of November, 2014.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

By Georgia Siehl  
Georgia Siehl  
Bureau Chief, Company Activities Bureau

STATE OF IDAHO )  
 ) ss.  
County of Ada )

On this 12<sup>th</sup> day of November, 2014, before me, the undersigned Notary Public, personally appeared Georgia Siehl, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Wanda L. Ary  
Notary Public of Idaho  
Residing at Boise, Idaho  
My commission expires 7/24/2018

**STIPULATION AND FINAL ORDER APPROVED AS TO FORM:**

By: [Signature]  
John C. Keenan  
Deputy Attorney General  
Office of the Attorney General  
Attorneys for Idaho Department of Insurance



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**IT IS SO ORDERED.**

DATED THIS 12<sup>TH</sup> day of November, 2014.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

By   
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.

## CERTIFICATE OF SERVICE


I HEREBY CERTIFY that on this 13th day of November, 2014, I caused a true and correct copy of the foregoing STIPULATION AND FINAL ORDER to be served upon the following by the designated means:

Richard A. Riley  
Hawley Troxell Ennis & Hawley, LLP  
P.O. Box 1617  
Boise, ID 83701-1617

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

John C. Keenan  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
Boise, ID 83702

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

  
Teresa Jones