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MAY 01 2024

Department of Insurance
State of Idaho

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Idaho Attorney General

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Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF
INSURANCE,

Complainant,

vs.

JILL MARIE BURATTO, aka JILL M.
FOREHAND, Bail Bond Agent License
No. 2883553,

Respondent.

Docket No. 18-4264-23

**STIPULATION AND
FINAL ORDER**

COME NOW the staff of the Idaho Department of Insurance ("Department") and Jill Marie Buratto, a.k.a. Jill M. Forehand ("Buratto"), and do hereby agree and stipulate as follows:

Findings of Fact

1. Buratto was and is an Idaho resident during all pertinent times as

alleged herein and carries Idaho Bail Bond Agent License No. 2883553, which license is due to expire on October 31, 2024. Buratto is subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho Department of Insurance promulgated thereunder.

2. The Director of the Department ("Director") has jurisdiction over Buratto and the subject matter herein pursuant to provisions of Idaho's Producer Licensing Act, Idaho Code §§ 41-1001 *et seq.*, as well as the Idaho Insurance Code, Idaho Code §§ 41-101 *et seq.*

3. On October 30, 2023, the Department filed a Verified Complaint and Notice of Right to Hearing (hereinafter "Verified Complaint"), seeking revocation of Buratto's bail bond agent license and imposition of administrative penalties.

4. Among the allegations in the Verified Complaint were that, on twenty-one occasions, Buratto made material misrepresentations to a surety regarding bail bonds she had written, which resulted in Buratto retaining money that should have been paid to the surety.

Conclusions of Law

5. Idaho Code § 41-1016(1) provides that the Director of the Department may impose an administrative penalty of up to \$1,000, and suspend, revoke, or refuse to issue an insurance license for certain enumerated violations.

6. Idaho Code § 41-1016(1)(d) gives cause for the imposition of a penalty and action against a producer for "[i]mproperly withholding, misappropriating or

converting any moneys or properties received in the course of doing insurance business.”

7. Idaho Code § 41-1016(1)(e) gives cause for the imposition of a penalty and action against a producer for “[m]isrepresenting the terms of an actual or proposed insurance contract or application for insurance or misrepresenting any fact material to any insurance transaction or proposed transaction.”

8. By making material misrepresentations to a surety regarding bail bonds she had written, which resulted in Buratto retaining money that should have been paid to the surety, Buratto violated Idaho Code §§ 41-1016(1)(d) and 41-1016(1)(e).

9. Idaho Code § 41-117 provides that each instance of violation may be treated as a separate offense.

10. The parties agree that this matter may be brought to a close by a negotiated and stipulated settlement and entry of this Stipulation and Final Order.

Agreement

11. Based upon the foregoing, Buratto and the Department stipulate and agree as follows:

- a. Buratto admits to twenty-one violations of Idaho Code § 41-1016(1)(d) and twenty-one violations of Idaho Code § 41-1016(1)(e).
- b. As sanction for the violations referenced above, Buratto and the Department agree to the penalties set forth below and agree that the Director of the Department may enter the Final Order attached hereto, which provides as follows:

- i. That the Stipulation be adopted in full and incorporated into the Final Order;
- ii. That Buratto's Idaho Bail Bond Agent License No. 2883553 shall be *revoked*; and that Buratto shall not submit, nor shall the Department consider, any application by Buratto for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license) for a period of four (4) years from the issuance of the Final Order;
- iii. That in accordance with Idaho Code § 41-1026(3), in the event that Buratto files an application for a license under title 41, Idaho Code, Buratto shall be required to show good cause why the prior revocation of this license shall not be deemed a bar to the issues of a new license;
- iv. That an administrative penalty shall be imposed against Buratto in the amount of Twenty-One Thousand Dollars (\$21,000);
- v. That the administrative penalty is suspended, to become due if and when Buratto applies for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license);

vi. That any future application by Buratto for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license) shall not be considered unless Buratto provides evidence that Buratto has fully repaid AIA for any amounts Buratto owed as a result of Buratto's violations.

c. Buratto further expressly agrees that, in the event she submits to the Department an application for any Idaho license provided for and authorized under title 41, Idaho Code, the Department may consider the facts and allegations in the Verified Complaint in this action as true for the limited purpose of evaluating Buratto's character and fitness for licensure.

12. The parties do not intend the admissions contained herein to constitute evidence of guilt in a criminal proceeding.

13. By entering into this Stipulation, Buratto knowingly and voluntarily waives any rights she would otherwise have to notice and a hearing at which she 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.

14. The parties agree that the terms of this Stipulation and Final Order are appropriate and proper under the circumstances referenced herein.

15. Buratto acknowledges that she has read this Stipulation and Final Order and understand its contents; that she has been given the opportunity to discuss this Stipulation and Final Order with independent legal counsel of her choosing; and that she has entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights she may be waiving thereby.

16. Buratto acknowledges that this is an administrative action that may be required to be reported on license applications and license renewal forms and disclosed to other agencies through which Buratto holds a license.

17. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department and Buratto upon such approval. Should the Director decline to approve this Stipulation and Final Order, the Department and Buratto shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by Buratto herein shall be withdrawn.

18. This Stipulation constitutes the full and final resolution of all matters addressed herein, and the Department agrees that, subject to the Director's approval described above, the Department shall seek no further civil or administrative sanctions for the violations alleged in the Verified Complaint, Docket No. 18-4264-23, subject to the agreement set forth in Paragraph 11 above.

19. Buratto agrees that, upon execution of this Stipulation and Final Order, no subsequent action or assertion shall be maintained or pursued in any manner asserting the invalidity of this Stipulation and Final Order and its provisions.

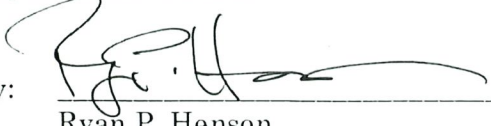
20. This Stipulation and Final Order embodies the entire agreement between the Department and Buratto, and there are no agreements, understandings, representations, or warranties that are not expressly set forth herein.

21. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Final Order shall be a public record under the Idaho Public Records Act.

Agreed this 30 day of April, 2024.

By: Jill M Buratto
Jill M Buratto (Apr 30, 2024 13:13 MDT)
Jill M. Buratto

Approved as to Form:

By: 
Ryan P. Henson
Bevis, Thiry, Henson & Katz
Attorney for Respondent


Agreed this 30th day of April, 2024.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: 
Randall M. Pipal
Bureau Chief, Consumer Services

Approved as to Form:

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: 
Michael Witry
Deputy Attorney General
Attorney for the Department of Insurance

Final Order

The parties hereto, namely the Idaho Department of Insurance and Jill Marie Buratto ("Buratto") having entered into the foregoing Stipulation, and the form of the order having been approved, 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 Buratto did violate title 41, Idaho Code, 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 Idaho Bail Bond Agent License No. 2883553 issued to Buratto is hereby *revoked* effective immediately and that Buratto shall not submit, nor shall the Department consider, any application by Buratto for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license) for a period of four (4) years from the issuance of this Final Order;

It is further ordered that in the event that Buratto files an application for a license under title 41, Idaho Code, Buratto shall be required to show good cause why the prior revocation of this license shall not be deemed a bar to the issues of a new license;

It is further ordered that an administrative penalty is hereby imposed against Buratto in the amount of Twenty-One Thousand Dollars (\$21,000);

It is further ordered that the administrative penalty is hereby suspended, to become due if and when Buratto applies for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license);

It is further ordered that any future application by Buratto for issuance or reinstatement of an Idaho producer license (including, but not limited to, a bail bond agent license) shall not be considered unless Buratto provides evidence that Buratto has fully repaid AIA for any amounts Buratto owed as a result of Buratto's violations.

Dated this 1st day of May, 2024.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



Dean L. Cameron
Director

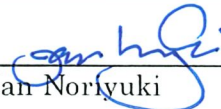
Notice Regarding Reportable Proceedings

The foregoing 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 for which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. You should be aware that this proceeding must be disclosed on any insurance 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 1st day of May, 2024, I caused a true and correct copy of the foregoing, fully-executed Stipulation and Final Order to be served upon the following by the designated means:

| | |
|--|---|
| Thomas J. Lloyd III 5762 E. Zaffre Ridge Street Boise, ID 83716 208-609-3798 <i>Hearing Officer</i> | <input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: thomas.lloyd@millernash.com dalanee.wiedensmith@millernash.com |
| Ryan P. Henson Bevis, Thirty, Henson & Katz, P.A. 709 E Riverpark Ln, Ste 100 Boise, ID 83706 <i>Counsel for Respondent</i> | <input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: rhenson@bevislaw.com admin@bevislaw.com |
| Jill Buratto 12498 S. Sunrise Mist Loop Nampa, ID 83686 <i>Respondent</i> | <input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: jbbail@mac.com |
| Michael Witry Deputy Attorney General Idaho Department of Insurance 700 W. State St., 3 rd Floor PO Box 83720 Boise, ID 83720-0043 | <input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: michael.witry@doi.idaho.gov |



Jan Noriyuki







2024-04-29 stip order to op

Final Audit Report

2024-04-30

| | |
|-----------------|--|
| Created: | 2024-04-29 |
| By: | Millie Ibarra (mibarra@bevislaw.com) |
| Status: | Signed |
| Transaction ID: | CBJCHBCAABAAZMUqGKnMUC7ZIUtit58PrN5_52-f_m1F |

"2024-04-29 stip order to op" History

-  Document created by Millie Ibarra (mibarra@bevislaw.com)
2024-04-29 - 11:21:30 PM GMT
-  Document emailed to jmburatto@me.com for signature
2024-04-29 - 11:22:00 PM GMT
-  Email viewed by jmburatto@me.com
2024-04-29 - 11:23:05 PM GMT
-  Signer jmburatto@me.com entered name at signing as Jill M Buratto
2024-04-30 - 7:13:41 PM GMT
-  Document e-signed by Jill M Buratto (jmburatto@me.com)
Signature Date: 2024-04-30 - 7:13:43 PM GMT - Time Source: server
-  Agreement completed.
2024-04-30 - 7:13:43 PM GMT



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