

MICHAEL WITRY, ISB #7960
Deputy Attorney General
Idaho Department of Insurance
700 W. State Street, 3rd Floor
PO Box 83720
Boise, Idaho 83720-0043
Telephone No. (208) 334-4219
Facsimile No. (208) 334-4298
michael.witry@doi.idaho.gov

Attorneys for Idaho Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

ANTHONY STEVEN HUERTA, an individual
holding Idaho Non-Resident Producer and
Surplus Lines Broker License NPN 15690060,

Respondent.

Docket No. 18-4320-23

STIPULATION AND FINAL ORDER

Complainant, the Idaho Department of Insurance ("Department"), by and through its undersigned counsel, Deputy Attorney General Michael Witry, and Respondent, Anthony Steven Huerta, ("Respondent"), agree to the terms and conditions set forth herein and pursuant to the following *Stipulation and Final Order* ("Stipulation") agree to the following:

FINDINGS OF FACT

1. Respondent was a California resident who was registered with the Department and

lapsed by operation of law.

7. Idaho Code § 41-1223(4) provides that Respondent's surplus lines license is subject to the applicable provisions of chapter 10, title 41, Idaho Code (Producer licensing).

8. Idaho Administrative Code ("IDAPA") 18.06.06.012 provides that each broker will file an annual report with the Director by March 1st of each year, of surplus line business transacted during the previous calendar year on an approved form.

9. Idaho Code § 41-1230 provides that if any broker fails to file his/her annual report prior to the first day of April after the tax is due, the broker shall be liable for a fine of twenty-five dollars (\$25.00) for each day of delinquency commencing with the second day of April.

STIPULATION

10. Based on the foregoing, the Department and Respondent agree that this matter will be resolved by stipulation upon the parties agreement to the following terms and conditions:

- a. Respondent admits that he did not file his annual report of surplus lines business or remit taxes as required by law to the Department by March 1, 2023;
- b. Respondent certifies that he did not conduct any surplus lines business in Idaho in 2022 or in 2023;
- c. Respondent voluntarily surrenders Idaho Non-Resident Producer License No. 15690060 and Idaho Non-Resident Surplus Lines Broker License No. 15690060, effective February 28, 2023;
- d. Respondent is fined in the amount of five thousand two hundred and seventy-five dollars (\$5,275.00), pursuant to Idaho Code § 41-1230; and
- e. The entire amount of the fine is suspended, to be paid upon Respondent's application for a license of any kind with the Department. No Idaho licensing

between the parties and there are no valid or binding agreements, understandings, representations, or warranties that are not expressly set forth herein.

17. Respondent 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.

18. Upon entry of the final order, this *Stipulation and Final Order* shall become public record and subject to disclosure under the Idaho Public Records Act.

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and ANTHONY STEVEN HUERTA ("Respondent") 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 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 Non-Resident Producer License No. 15690060 and Idaho Non-Resident Surplus Lines Broker License No. 15690060 issued to Respondent are hereby SURRENDERED effective February 28, 2023;

IT IS FURTHER ORDERED that Respondent is fined in the amount of five thousand two hundred and seventy-five dollars (\$5,275.00), pursuant to Idaho Code § 41-1230;

IT IS FURTHER ORDERED that the entire amount of the fine is suspended, to be paid upon Respondent's application for a license of any kind with the Department.

DATED this 20 day of December, 2023.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of ~~November~~ ^{December}, 2023, I caused a true and correct copy of the foregoing ~~VERIFIED COMPLAINT AND NOTICE OF RIGHT TO HEARING~~ to be served upon the following parties by the designated means: *Stipulation and Final Order*

Anthony Steven Huerta 813 Dunes Street Oxnard, CA 93035-1111 Anthony Steven Huerta PO Box 9070 Carlsbad, CA 92018-9070	<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: <u>anthonyhuerta@live.com</u>
John Keenan 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: <u>john.keenan@doi.idaho.gov</u>
Michael Witry Deputy Attorney General Idaho Department of Insurance 700 W. State St., 3 rd Floor PO Box 83720 Boise, ID 83720-0043 <i>Counsel for Department of Insurance</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: <u>michael.witry@doi.idaho.gov</u>

