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FILED
MAR 15 2016 *KG*
Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

STATE OF IDAHO, DEPARTMENT OF
INSURANCE,

Complainant,

vs.

SHANE JASON GOULD,
Nonresident Producer License No. 128248,

Respondent.

Docket No. 18-3136-16

**STIPULATION FOR ENTRY OF
FINAL ORDER AND FINAL ORDER**

The parties herein, namely the Idaho Department of Insurance (the "Department") and its counsel of record, Judy L. Geier, Deputy Attorney General, and Shane Jason Gould ("RESPONDENT") do hereby agree and stipulate as follows:

1. RESPONDENT was originally issued Nonresident Producer License No. 128248 on September 27, 2005, which license was due to expire on January 31, 2016, the renewal of which is pending the outcome of this matter.

2. On or about December 18, 2015, RESPONDENT submitted an application to the Department through the National Insurance Producer Registry ("NIPR"), seeking renewal of Nonresident Insurance Producer License No. 128248.

3. On or about December 21, 2015, the Department reviewed a broker's report from the Financial Industry Regulatory Authority ("FINRA") regarding Respondent's financial disclosures of record. The FINRA broker report revealed four outstanding federal tax liens filed against Respondent for the years 2006, 2007, and 2014, which total \$54,008.

4. On December 28, 2015, upon further inquiry, RESPONDENT disclosed to the Department via email that he had "reported these tax liens on my U4 disclosures as well as the state insurance regulatory disclosures. As disclosed in those reports, the liens remain outstanding and I don't presently have a repayment plan in place, so there is no other new information to report."

5. In a letter dated June 19, 2014, Respondent made the following financial disclosures:

Date: June 19th, 2014

To: State Department of Insurance

From: Shane Gould

RE: Financial Disclosure

Federal Tax Liens were filed against me for the years 2002, 2003, and 2005. The amounts were \$9165.38, \$7841.35 and \$2220.73 respectively. After providing the IRS with financial documents, this debt was placed in an uncollectable status due to my inability to pay at that time and it has remained in this status since. The IRS is requesting that I resubmit financial documents to them to establish a repayment plan which is what I'm in the process of doing now. I have requested copies of the original notice of lien from the IRS and will have them uploaded upon receipt. I will also submit copies of any payment arrangement I establish with the IRS. I have also received notice of garnishment from the North Carolina

Department of revenue for the years 2010 and 2011 in the amounts of \$2603.64 and \$2361.96 respectively. I am presently working with them to establish a payment plan as well and will have that information uploaded once I receive copies of the payment arrangement from the NCDOR.

Shane Gould

6. Enclosed with the letter were copies of two notices of garnishment from the state of North Carolina addressed to RESPONDENT, dated February 5, 2014, in the amount of \$2,361.96, and April 9, 2014, in the amount of \$2,603.64. No further information regarding a purported payment plan for the outstanding state tax lien has been disclosed or provided.

7. On January 20, 2016, the Idaho Department of Insurance filed and served a Verified Complaint and Notice of Right to Hearing (hereinafter "Verified Complaint") on RESPONDENT.

8. The Verified Complaint alleged various violations of title 41, Idaho Code, against RESPONDENT arising out of RESPONDENT's accrued tax debts, among other debts, and his overall financial status.

9. RESPONDENT submitted a timely email dated February 9, 2016, requesting reconsideration of the Verified Complaint. The email was treated by the Department as a request for hearing and was filed on the Department Docket on February 9, 2016.

10. Subsequently, RESPONDENT supplemented his responses with additional documentation regarding his income, his payment plan for paying off the state tax debt, his compromises and settlements with his judgment debtors, and his communications with the Internal Revenue Service regarding his federal tax debt.

11. After consideration of the supplemental information, the parties hereto believe that this matter may be brought to a close by a negotiated and stipulated settlement.

12. Based on the foregoing, the parties agree and stipulate as follows:

a. That the Department agrees to renew RESPONDENT's Nonresident Producer License No. 128248 and to dismiss the Verified Complaint without prejudice;

b. That RESPONDENT agrees to proceed to pay off the state and federal tax debts by continuing to follow the payoff plan for the state tax debt and, once paid off, to compromise the federal tax debt and prepare a payoff plan for the remaining uncompromised federal tax debt.

c. That RESPONDENT will provide the Department with annual financial reports documenting the progress he is making toward paying off his state tax debt and negotiating a compromise and payment plan for his federal tax debt, the first of which financial reports will be due January 1, 2017, with annual financial reports continuing until RESPONDENT's state and federal tax debts are fully satisfied.

d. That RESPONDENT's annual financial report shall include an accounting of principal owed and payments made on the state tax debt and/or federal tax debt and any such other documents that the Department may reasonably request.

e. That RESPONDENT also agrees to provide the Department a copy of any negotiated compromise on the federal tax debt within no later than thirty (30) days of the occurrence thereof.

f. That the parties agree that RESPONDENT's failure to report or failure to provide complete reporting as herein required shall result in suspension of RESPONDENT's nonresident producer license without hearing until such date as the complete financial reporting is provided.

13. The parties waive their right to notice and hearing at which they may be represented by counsel, present evidence and examine witnesses; PROVIDED, HOWEVER, the

Department does not waive any right to proceed with the original claims should evidence exist that RESPONDENT has failed to comply with his payment plans and/or progress towards full payoff/satisfaction of his state and federal tax debts.

14. The parties hereby waive the right to seek reconsideration and judicial review of the Final Order to be entered herein.

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

16. 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.

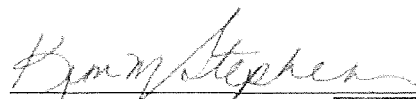
AGREED THIS 11th day of March, 2016.

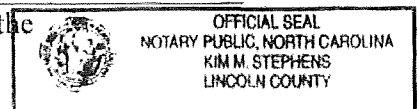
By: 
SHANE JASON GOULD

STATE OF North Carolina)
) ss.
County of Lincoln)

On this 11th day of March 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared SHANE JASON GOULD, in his individual capacity, who executed the foregoing instrument, and acknowledged to me that the said instrument is the free and voluntary act and deed of said individual, 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.


Notary Public in and for the



State of North Carolina
Residing at 7933 Millers Ln Denver NC 28037
My commission expires: 1-18-2017

AGREED THIS 11 day of March, 2016.

By: _____

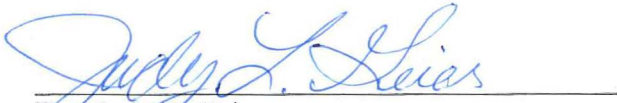


LISA TORDJMAN

Supervisor, Producer Licensing
Idaho Department of Insurance

Approved as to Form:

OFFICE OF THE ATTORNEY GENERAL



By: Judy L. Geier

Deputy Attorney General

Attorney for the Department of Insurance

FINAL ORDER

IT IS HEREBY ORDERED,

1. That the preceding Stipulation is approved and adopted in full as if set forth herein; and

2. That Idaho Nonresident Producer License No. 128248, held in the name of SHANE JASON GOULD, may be renewed in accordance with the terms of the parties' stipulation and title 41, Idaho Code; and

3. That SHANE JASON GOULD shall provide to the Department annual financial reporting, documenting the progress he is making toward paying off his state tax debt and toward negotiating a compromise and payment plan for his federal tax debts; and

4. That the first of SHANE JASON GOULD's financial reports shall be due January 1, 2017, with annual financial reports continuing until his state and federal tax debts are fully satisfied; and

5. That the annual financial reports shall include an accounting of principal owed and payments made on SHANE JASON GOULD's state tax debt and/or federal tax debt, a copy of any compromise reached on his federal tax debt, and any such other documents that the Department may reasonably request;

6. That SHANE JASON GOULD shall also provide to the Department a copy of any negotiated compromise on his federal tax debt within no later than thirty (30) days of the occurrence thereof; and

7. That Idaho Nonresident Producer License No. 128248 shall be subject to suspension, without further notice or hearing, upon the failure of SHANE JASON GOULD to provide complete, annual financial reporting and/or to timely submit a copy any negotiated compromise of his federal tax debt within no later than thirty (30) days of the occurrence thereof;

and

8. That the Verified Complaint in this matter shall be dismissed without prejudice, PROVIDED, HOWEVER, the Department preserves the right to proceed with the original claims should evidence exist that RESPONDENT has failed to make comply with his payment plans and/or progress towards full payoff/satisfaction of his state and federal tax debts.

DATED this 14 day of March, 2016.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN CAMERON
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, on this 15th day of MARCH, 2016, caused a true and correct copy of the foregoing fully-executed STIPULATION FOR ENTRY OF FINAL ORDER AND FINAL ORDER to be served upon the following by the designated means:

Shane Jason Gould
13520 Ballantyne Corporate Place
Charlotte, NC 28277-2706

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

Shane Jason Gould
12405 Cumberland Crest Drive
Huntersville, NC 28078-3846

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

Teachers Insurance and Annuity Association of
America
730 Third Avenue
New York, NY 10017

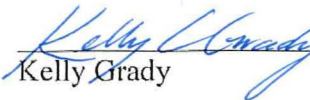
☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

TIAA-CREF Life Insurance Company
730 Third Avenue
New York, NY 10017

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

Judy L. Geier
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



Kelly Grady