

LAWRENCE G. WASDEN
Attorney General

EDITH L. PACILLO – ISB No. 5430
Lead Deputy Attorney General
State of Idaho
Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, Idaho 83720-0043
Telephone: (208) 334-4204
Facsimile: (208) 334-4298
edith.pacillo@doi.idaho.gov

FILED
MAY 21 2019 AM
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 the Application for Idaho
Resident Producer License of:

LORI ANN MARSH

Docket No. 18-3649-19

**STIPULATION AND
FINAL ORDER**

STIPULATION

The Idaho Department of Insurance (“Department”) and LORI ANN MARSH (“MARSH”) do 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 or about April 8, 2019, MARSH submitted to the Department an application for a resident insurance producer license (“Application”).
3. According to information and documentation reviewed by the Department, on or about September 9, 2016, the Fourth Judicial District Court of Idaho, County of Ada, issued a

Judgment of Conviction, Suspended Sentence, and Order of Probation in Case No. CR-FE-2015-0015065, based on MARSH's guilty plea to the charge of aggravated driving under the influence of alcohol, a felony. Pursuant to such order, MARSH was placed on probation for a period of ten (10) years.

4. Upon review of MARSH's Application and related documents provided to the Department, the Department is willing to issue to MARSH a resident producer license on a provisional basis, subject to the following terms and conditions:

- a. Six (6) months after entry of the Final Order herein and continuing every six (6) months thereafter, for a period of two (2) years, MARSH shall submit a written report to the Department's Licensing Section, setting forth MARSH's current residence, employment, and probation status, including but not limited to: current residential address and telephone number; current business address and telephone number; current employment status; and current status of probation and any legal or personal issues relating thereto;
- b. In addition to the periodic written report required in paragraph "a" above, MARSH shall immediately notify and report in writing to the Department's Licensing Section any change in the following: (1) her residential address or telephone number; (2) her employment status, including new employment or change in position or title; (3) her business address or telephone number; (4) any arrest, pending criminal charge or proceeding, or any criminal conviction; or (5) any newly-imposed criminal probation conditions, any allegations or findings that MARSH violated any existing probation, or any change in the status of probation; and,

- c. MARSH will at all times comply with the Idaho Insurance Code, title 41, Idaho Code, and all rules promulgated thereunder, and will act in good faith, abstain from deception, and practice honesty and equity in all insurance matters she engages in while holding a producer license, provisional or otherwise.

5. At any time while MARSH's provisional producer license is in effect, the Director may revoke such license, without the right to a prior hearing, if the Director determines, in his sole discretion, that the interests of insureds or the public are endangered. The Director may also limit the authority of such provisional license as he deems necessary to protect insureds or the public.

6. The provisional resident producer license granted to MARSH shall continue in effect, unless earlier surrendered or revoked, for a period of two (2) years, unless earlier surrendered or revoked. Thereafter the Department shall determine whether to issue MARSH an unrestricted resident producer license. Should the Department deny issuance of an unrestricted producer license to MARSH, the Department shall serve notice of such decision to MARSH, together with notification of any right to hearing or to appeal the Department's denial.

7. 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.

8. Before executing this Stipulation, the parties have had the opportunity to review this Stipulation with their respective attorneys and to seek appropriate advice and counsel relating to this Stipulation and Final Order.

9. 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 41 and title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

10. The parties hereto have reviewed the proposed Final Order attached hereto, agree as to its form, and agree that said Final Order may be submitted to the Director of the Department for his review and signature.

IT IS SO AGREED.

DATED THIS 20th day of May, 2019.

By: Lori Ann Marsh
LORI ANN MARSH

STATE OF IDAHO)
: ss.
County of ADA)

On this 20th day of May, 2019, before me, the undersigned Notary Public, personally appeared LORI ANN MARSH, 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.



An C
Notary Public
My commission expires 10-26-22



IT IS SO AGREED.

DATED THIS 20th day of May, 2019.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: 
NATHAN FARAGHER
Bureau Chief, Company Activities Bureau

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and LORI ANN MARSH, 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,

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

IT IS HEREBY ORDERED that the foregoing Stipulation is approved, and is adopted and incorporated herein as if set forth in full;

IT IS FURTHER ORDERED that MARSH shall be issued a resident producer license on a provisional basis for a period of two (2) years, unless such license is earlier surrendered or revoked, based on the conditions and agreements as set forth in the above Stipulation and in accordance with law;

IT IS FURTHER ORDERED that MARSH shall file a written report with the Department's Licensing Section, in the form and manner as provided in the Stipulation, commencing six (6) months after entry of this Final Order and continuing every six (6) months thereafter while MARSH's provisional license remains in effect; and

IT IS FURTHER ORDERED that MARSH shall immediately report in writing to the Department's Licensing Section any changes to her circumstances in the form and manner as provided in this Stipulation.

DATED this 20 day of May, 2019.

STATE OF IDAHO
DEPARTMENT OF INSURANCE


DEAN L. CAMERON
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.

NOTIFICATION OF RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is

later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 21st day of May, 2019, I caused to be served a true copy of the foregoing STIPULATION AND FINAL ORDER by the method indicated below, and addressed to each of the following:

Lori Ann Marsh
873 W. Quarter Drive
Eagle, ID 83616

☒ first class mail
☐ certified mail
☐ hand delivery

Edith L. Pacillo
Lead 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


Pamela Murray