

1. That the Respondent agrees and acknowledges receipt of a copy of the *Complaint and Notification of Rights* (Complaint) setting forth allegations and violations of Title 41, Idaho Code, more specifically Idaho Code Sections 41-1016(1)(h), 41-1016(1)(1), and 41-1023(2) involving the above-entitled matter, and further acknowledges that said Complaint was not filed with the Director of the Idaho Department of Insurance and was not served upon the Respondent; and,
2. That said Complaint identifies certain actions and violations of Title 41, Idaho Code, by the Respondent, that occurred prior to the date of the Order entered hereinbelow; and,
3. That with regard to all allegations in said Complaint, and any and all allegations of violations of Title 41, Idaho Code, not listed in said Complaint that could have been so listed and that allegedly occurred prior to the date of the Order herein, shall be treated as if the Complaint had been filed and thereafter dismissed with prejudice in its entirety and, therefore, shall be a final disposition of said allegations; and,
4. That no further proceedings, including notices, discovery or hearings as allowed by law, on this matter shall be held; and
5. That the Idaho Department of Insurance has found, and Respondent admits, that Respondent has been in violation of the Idaho Insurance Code, Title 41, Idaho Code a minimum of seven (7) times, including, but not limited to, violations of Idaho Code Sections 41-1016(1)(h), 41-1016(1)(1), and 41-1023(2), namely the authorizing unlicensed employees to execute Metal's

signature on insurance applications and other related documents, obtaining and maintaining a power-of-attorney forms and use that failed to comply with Idaho Code Section 41-337 and 41-1023, and for permitting unlicensed employees under her management and control to solicit, negotiate, and sell insurance for a total penalty to be imposed of Seven Thousand Dollars (\$7,000.00); and

6. That in consideration of entering this Consent Decree, the Idaho Department of Insurance will waive all of said penalty or any other penalty or administrative fine that could have been imposed for any other alleged act or violation prior to the date of the Order herein, except for the sum of One Thousand Dollars (\$1000.00); and
7. That the Respondent shall pay the sum of Five Hundred Ninety Dollars (\$590.00) to the Idaho Department of Insurance for restitution of the costs of overdraft fees incurred by Complainant Jessica Drollinger (DOI Consumer Affairs File No.: 07-0249); and,
8. That Respondent agrees to register and attend all non-identical law classes offered by the Idaho Department of Insurance for the next year held in Ada County or Canyon County, Idaho, and to attend said classes on a regular and timely basis as long as the Respondent holds a license issued by the Idaho Department of Insurance; and,
9. That for a period of three years after the date of the Order herein, in the event the Idaho Department of Insurance receives a complaint from a consumer, insured, or other person relating to the business of insurance

regarding the wrongful handling or management of funds or monies by the Respondent, or the engagement of any person under her employ, control or supervision in the business of insurance without being duly licensed under Idaho law, the Respondent hereby waives her right to prior notice and hearing, and consents to the entry of an order revoking her license and shall surrender her insurance license immediately to the Idaho Department of Insurance, whereupon the Respondent may file a Request for Hearing for review of the complaint(s) relating thereto; and,

10. That the Respondent shall immediately respond to any inquiry from the Idaho Department of Insurance in accordance with Idaho Code Section 41-247 or as provided by other due process of law; and,
11. That for a period of three years after the date of the Order herein, the Respondent shall be under the supervision and control of a duly-licensed producer of the State of Idaho, pursuant to Idaho Code § 41-1015(2) and within ten (10) days of the execution of the Order herein, shall provide the name, address, telephone number, and license number of said producer or the change of the name, address, telephone number and license number any such producer, and at all times shall inform the Idaho Department of Insurance of her current business address and phone number and current residence address and phone number, as required by law; and,
12. That failure to comply with any provisions of this Consent Decree shall be grounds for immediate revocation of her license, whereupon receipt of a verified notice of non-compliance, the Respondent hereby waives her right

to prior notice and hearing, and consents to the entry of an order revoking her license and shall surrender her insurance license immediately to the Idaho Department of Insurance, whereupon the Respondent may file a Request for Hearing to show why her license should be reinstated; and,

13. That for a period of three years after the date of the Order herein, upon notice from the Idaho Department of Insurance, the Respondent shall immediately submit herself and records to an audit or examination regarding any funds and monies handled by her, or any other transaction or aspect with regard to the business of insurance; and,
14. That for a period of three years after the date of the Order herein, the Respondent agrees to immediately meet personally with the staff of the Idaho Department of Insurance at its offices located at 700 West State Street, 3rd Floor, Boise, Idaho, or at her place of business at the option of the Department of Insurance, upon demand, for review and to respond to inquiries or requests for information or records as the case may be, and thereafter as required by law; and,
15. The first of such meetings shall be on Thursday, the 17th day of April, 2008, at 2:00 o'clock p.m; at the offices of the Idaho Department of Insurance, 700 West State Street, 3rd Floor, Boise, Idaho; and,
16. That the Respondent agrees to fully pay the penalty set forth in paragraph 6, above, in the amount of One Thousand Dollars (\$1000.00) and the restitution set forth in paragraph 7, above, in the amount of Five Hundred

Ninety Dollars (\$590.00), no later than one year from the date of the Order herein; and,

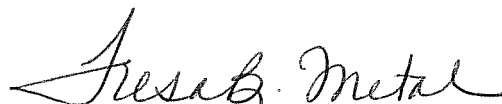
17. That all parties agree that this Consent Decree and Order are applicable to, and binds only the parties hereto with regard to violations of the law as alleged in said complaint, and that this Consent Decree and Order do not affect the rights, responsibilities, causes of action, or remedies that other parties may have at law or equity with regard to the acts or omissions of the Respondent prior to the date hereof; and,

18. That the parties agree that this Consent Decree and Order are entered into voluntarily and to resolve what would otherwise be a formal contested case, and the parties waive their right to hearing, and right to seek judicial review of the attached order.

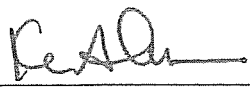
19. IT IS SO AGREED.

Dated this 9th day of November, 2007.

For the Respondent:

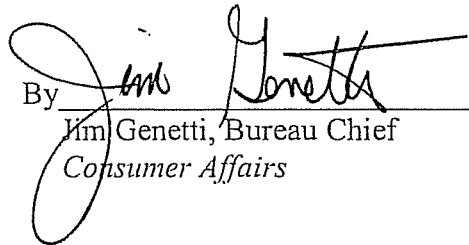

Tresa Metal, Respondent

APPROVED AS TO FORM:
PERKINS COIE, LLP


By  (9 Nov 2007)
Kelly A. Cameron, Esq.
Attorney for Respondent

For the Complainant:

IDAHO DEPARTMENT OF INSURANCE

By 
Jim Genetti, Bureau Chief
Consumer Affairs

OFFICE OF THE ATTORNEY GENERAL

By 
John C. Keenan,
Deputy Attorney General
Attorneys for the Idaho Department of
Insurance

ORDER

The Director of the Idaho Department of Insurance having considered the foregoing Consent Decree stipulating to the disposition of certain allegations against the Respondent, and in consideration of the premises;

IT IS HEREBY ORDERED that the undersigned Director of the Idaho Department of Insurance approves the Consent Decree and agreement entered into the parties thereto; and,

IT IS FURTHER ORDERED that the said Consent Decree is incorporated herein as if set forth in full and as such is an ORDER of the Director of the Idaho Department of Insurance.

IT IS SO ORDERED.

Dated and effective this 14TH day of NOVEMBER,
2007.


WILLIAM W. DEAL
Director
Idaho Department of Insurance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day November, 2007, I caused a true and correct copy of the CONSENT DECREE AND ORDER to be served upon the following by the designated means:

Tresa Metal
Abbott Insurance and Financial Services
2417 N. Cole Road
Boise ID 83704

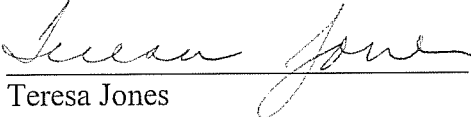
first class mail
 certified mail
 hand delivery
 via facsimile

Kelly Cameron, Esq.
Perkins Coie, LLP
251 E. Front Street, Suite 400
P.O. Box 737
Boise ID 83701-0737

first class mail
 certified mail
 hand delivery
 via facsimile

John C. Keenan
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



Teresa Jones
Assistant to the Director