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FILED

APR 08 2008

Department of Insurance  
State of Idaho

Attorneys for Department of Insurance

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
STATE OF IDAHO**

In the Matter of: )  
)  
)  
PIONEER TITLE COMPANY )  
)  
)  
Producer License No. TA5685 )  
\_\_\_\_\_ )

Docket No. 18-2452-08

**STIPULATION AND ORDER**

**STIPULATION**

COMES NOW the Department of Insurance, State of Idaho (Department), by and through its counsel, Michael K. Naethe, Deputy Attorney General, and Pioneer Title Company (PIONEER), by and through Jesse R. Hamilton, General Counsel, and hereby stipulate and agree as follows:

1. PIONEER is duly licensed as a title company by the State of Idaho, holding license TA 5685 and is therefore subject to the provisions of Title 41, Idaho

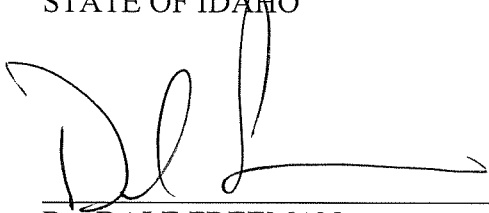
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Code, and to the Rules and Regulations of the Department of Insurance promulgated thereunder.

2. On or about October 22, 2007, PIONEER quoted a rate to a potential insured that was below the rates then currently on file with the Director of the Idaho Department of Insurance (Director).
3. On or about October 24, 2007, PIONEER issued a title commitment to the potential insured reiterating rates below those currently on file with the Director.
4. On or about October 26, 2007, the Director received a new rate filing from Old Republic Title Company (Old Republic), the insurance company for which PIONEER is an agent. This date started the thirty (30) day window for public review and comment prior to rates being effective, pursuant to Idaho Code § 41-2707.
5. On or about November 26, 2007, the new rates filed by Old Republic became filed and approved for use pursuant to Idaho Code §§ 41-2706 and 41-2707.
6. The Department contends that PIONEER's actions were in violation of Idaho Code § 41-2708(3), which states that "[n]o title insurance company or title insurance agent shall quote or make any charge for title insurance to any person less than the currently filed rate for such risk with the department of insurance."

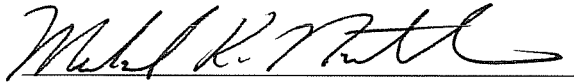
7. The Department contends that PIONEER's actions were in violation of Idaho Code § 41-1314(1), for offering to provide a rebate of premiums payable on an insurance contract.
8. PIONEER agrees and hereby admits that quoting rates below those on file with the Director was improper and violated Idaho Code §§ 41-1314(1) and 41-2708(3).
9. PIONEER agrees to pay an administrative penalty of ten thousand dollars (\$10,000).
10. On or about March 5, 2008, PIONEER indicated its willingness to agree in principle to the aforementioned terms.
11. The Department shall forego administrative action to impose additional penalties for any violations of Title 41, Idaho Code, and the Rules and Regulations of the Department of Insurance promulgated thereunder in relation to the aforementioned events.
12. 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. Additionally, the parties hereby waive the right to seek reconsideration and judicial review of the attached order.

DEPARTMENT OF INSURANCE  
STATE OF IDAHO



By: DALE FREEMAN  
Senior Financial Examiner

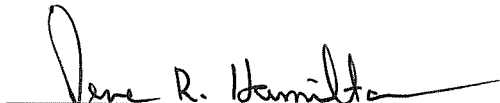
Dated this 8<sup>th</sup> day of April 2008.



By: MICHAEL K. NAETHE  
Deputy Attorney General

Dated this 8<sup>th</sup> day of April 2008.

PIONEER TITLE COMPANY



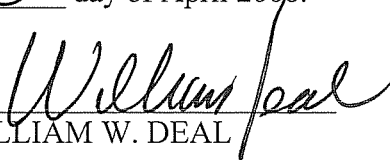
By: JESSE R. HAMILTON  
General Counsel

Dated this 2<sup>nd</sup> day of April 2008.

**ORDER**

IT APPEARING FROM THE FOREGOING THAT GOOD CAUSE EXISTS, IT IS HEREBY ORDERED that the foregoing Stipulation of the parties is adopted and accepted in full and made a part of this Order, effective as of the date executed by the Director.

DATED and EFFECTIVE this 8<sup>TH</sup> day of April 2008.

  
\_\_\_\_\_  
WILLIAM W. DEAL  
Director

**CERTIFICATE OF SERVICE**

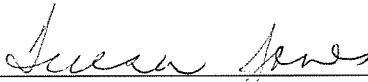
I HEREBY CERTIFY that I have on this 8th day of April 2008, caused a true and correct copy of the foregoing document to be served upon the following by the designated means:

Jesse R. Hamilton  
General Counsel  
Pioneer Title Company  
703 Americana Blvd., Ste. 120  
Boise, ID 83702

- first class mail
- certified mail
- hand delivery
- via facsimile

Michael K. Naethe  
Deputy Attorney General  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720 – 0043

- first class mail
- certified mail
- hand delivery
- via facsimile

  
\_\_\_\_\_  
Teresa Jones  
Assistant to the Director