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Idaho State Bar No. 3873

FILED 

FEB 11 2009

Department of Insurance  
State of Idaho

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

DEPARTMENT OF INSURANCE, )  
STATE OF IDAHO, )  
 )  
Complainant, )  
 )  
vs. )  
 )  
FIREGUARD ENGINEERING AND )  
PROTECTION LLC, a foreign limited liability )  
company, holding fire protection sprinkler )  
contractor license No. FPSC-038, )  
 )  
Respondent. )  
\_\_\_\_\_ )

Docket No. 18-2463-08

**STIPULATION TO  
SETTLE AND ENTRY  
OF FULL AND FINAL  
ORDER**

COMES NOW, the Idaho Department of Insurance, State Fire Marshal, for himself, and by and through his undersigned counsel-of-record, John C. Keenan, and Fireguard Engineering and Protection LLC, for itself, and by and through its undersigned counsel-of-record, Clay Shockley, and agree and stipulate as follows:

1. The parties in the above-entitled matter have reached a resolution of the matter in dispute as set forth in the *Complaint* and *Notification of Rights* filed May 19, 2008 and *Answer and Demand for a Hearing* filed July 9, 2008.

2. That the Respondent shall pay the sum of \$3,500.00 as an administrative penalty in full and final settlement thereof of the disputed facts and allegations made in said documents identified above.
3. That the Respondent stipulates and agrees that commencing immediately that it, its employees, agents, or representatives as may be required by law, shall be fully licensed and shall be in compliance with the law before commencing, maintaining, or completing any work as a fire protection sprinkler contractor within the state of Idaho.
4. That Respondent acknowledges receipt of the notification of his rights and responsibilities hereto, and waives any motion for reconsideration, or other appeal whether to the Director or the District Court of the State of Idaho provided by Titles 41 and 67, Idaho Code, or any other review as provided by law, and that this Stipulation provides for a full and final release of all claims and defenses against and on behalf of all parties in the above-entitled matter.
5. That parties hereto agree that an appropriate Order by the Director of the Idaho Department of Insurance may be entered herein confirming this Stipulation between the parties and shall be considered as a full and Final Order regarding the above-entitled matter.
6. That the parties have agreed to the form of the Final Order as provided and agree to its entry herein by the Director of the Idaho Department of Insurance.

IT IS SO AGREED.

DATED this 4<sup>th</sup> day of February, 2009.

FIREGUARD ENGINEERING AND  
PROTECTION, LLC

By Thomas P. Flynn

SASSER & INGLIS, P.C.

By Clay Shockley  
Clay Shockley, of the firm  
Attorneys for Fireguard Engineering &  
Protection, LLC

DATED this 10<sup>th</sup> day of February, 2009.

IDAHO DEPARTMENT OF INSURANCE  
STATE FIRE MARSHAL

By Mark Larson  
Mark Larson, State Fire Marshal

IDAHO ATTORNEY GENERAL

By John C. Keenan  
JOHN C. KEENAN, *attorneys for the*  
Idaho Department of Insurance

LAWRENCE G. WASDEN  
Attorney General



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State of Idaho**

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

DEPARTMENT OF INSURANCE, )  
STATE OF IDAHO, )

Complainant, )

Docket No. 18-2463-08

vs. )

**FINAL ORDER**

FIREGUARD ENGINEERING AND )  
PROTECTION LLC, a foreign limited liability )  
company, holding fire protection sprinkler )  
contractor license No. FPSC-038, )

Respondent. )

\_\_\_\_\_ )

The Director of the Idaho Department of Insurance after having reviewed the record in the above-entitled matter, the Stipulation to Settle and Entry of Final Order, and in consideration of the premises:

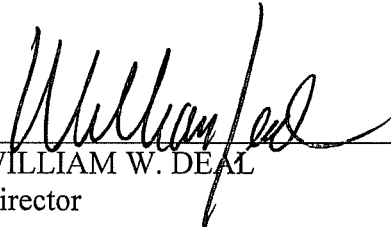
1. IT IS HEREBY ORDERED that the Stipulation to Settle as entered between the parties hereto is approved and adopted by the Director in its entirety as if set forth here in full; and,

2. IT IS FURTHER ORDERED that the Respondent shall pay the sum of Three Thousand Five Hundred Dollars (\$3,500) as an administrative penalty and upon receipt in full of said sum, IT IS HEREBY ORDERED that the above entitled matter shall be fully DISMISSED WITH PREJUDICE without necessity of any further notice to the parties herein; and,
3. IT IS FURTHER ORDERED that the Respondent shall at all times obey the laws of the State of Idaho regarding the licensure as a fire protection sprinkler contractor within the State of Idaho.

IT IS SO ORDERED.

DATED this 11<sup>TH</sup> day of February, 2009.

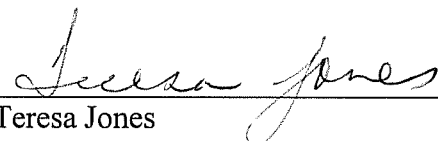
IDAHO DEPARTMENT OF INSURANCE

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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 11<sup>th</sup> day of February, 2009, I caused a true and correct copy of the foregoing FINAL ORDER to be served upon the following first class mail:

Clay Shockley, Esq.  
*Sasser & Inglis, PC*  
1902 West Judith Lane, Suite 100  
Boise, Idaho 83705

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