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*Attorneys for the Department of Insurance*

FILED 

AUG 06 2012

Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

BENJAMIN J. IVERS,  
Resident Bail Agent License No. 357314,

Respondent.

Docket No. 18-2777-12

**ORDER OF DEFAULT**

The Director of the Idaho Department of Insurance (“Director”) having reviewed the record herein; and BENJAMIN J. IVERS having been lawfully served the Verified Complaint and Notice of Right to Hearing on file herein and, as evident from the Affidavit of Richard B. Burleigh, having failed to file an answer thereto and having failed to request a hearing regarding said Verified Complaint; and the Director having found as a result thereof that BENJAMIN J. IVERS has waived his rights regarding the opportunity for hearing; and in consideration of the premises,

IT IS HEREBY ORDERED that the Resident Bail Agent License No. 357314 issued to BENJAMIN J. IVERS is hereby REVOKED;

IT IS FURTHER ORDERED that BENJAMIN J. IVERS shall immediately return Resident Bail Agent License No. 357314 to the Idaho Department of Insurance, P.O. Box 83720, Boise, Idaho 83720-0043;

IT IS FURTHER ORDERED that an administrative penalty of Eight Thousand Dollars (\$8,000.00) is hereby imposed on BENJAMIN J. IVERS, with Four Thousand Dollars of said penalty to be suspended but due and payable prior to submission of any application for licensure or reinstatement to the Idaho Department of Insurance and Four Thousand Dollars (\$4,000.00) of said penalty due and payable immediately upon entry of this Order.

IT IS SO ORDERED.

DATED this 6<sup>TH</sup> day of August, 2012.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
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WILLIAM W. DEAL  
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 constitutes 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 petition for reconsideration within twenty-one (21) days of its receipt, or the petition 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 may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was the subject of the agency decision is located. An appeal must be filed within twenty-eight (28) days of: (a) the service date of this final order, or (b) an order denying a petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* Idaho Code § 67-5273. The filing of a petition for judicial review to the district court does not itself stay the effectiveness or enforcement of the order under appeal.

**CERTIFICATE OF SERVICE**

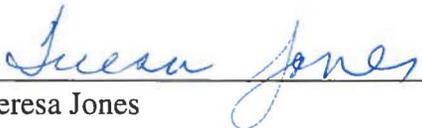
I HEREBY CERTIFY that, on this 6th day of August, 2012, I caused a true and correct copy of the foregoing ORDER OF DEFAULT to be served upon the following by the designated means:

Benjamin J. Ivers  
11676 Stockbridge Way  
Caldwell, ID 83605-7945

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

Financial Casualty & Surety, Inc.  
3131 Eastside, Suite 600  
Houston, TX 77098

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

  
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Teresa Jones