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Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

EVA L.C. BOWMAN, an individual holding
Idaho Resident Producer License No. 488883,
and BOWMAN, LLC, an Idaho limited
liability company holding Resident Producer
Agency License No. 609990,

Respondent.

Docket No. 18-3952-21

**STIPULATION AND
FINAL ORDER**

COME NOW the staff of the Idaho Department of Insurance (“Department”), EVA L.C. BOWMAN (hereinafter “BOWMAN”), and BOWMAN, LLC (hereinafter “BOWMAN, LLC”), and do hereby agree and stipulate as follows:

FINDINGS OF FACT

1. BOWMAN is a licensed insurance producer in the state of Idaho, holding Resident Producer License No. 488883, which license is due to expire on August 31, 2022. BOWMAN is

subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho Department of Insurance promulgated thereunder.

2. BOWMAN, LLC, was an Idaho corporation and held Idaho Resident Producer Agency License No. 609990. It was dissolved on March 31, 2021. BOWMAN was the designated responsible producer for BOWMAN, LLC. BOWMAN, LLC is subject to the provisions of title 41, Idaho Code, and to the rules of the Idaho Department of Insurance promulgated thereunder.

3. The Director of the Department (“Director”) has jurisdiction over BOWMAN, BOWMAN, LLC, and the subject matter herein pursuant to provisions of Idaho’s Producer Licensing Act, Idaho Code §§ 41-1001 *et seq.*, as well as the Idaho Insurance Code, Idaho Code §§ 41-101 *et seq.*

4. On December 8, 2021, the Department filed a Verified Complaint and Notice of Right to Hearing (hereinafter “Verified Complaint”), seeking revocation of BOWMAN and BOWMAN, LLC’s producer licenses and imposition of administrative penalties.

5. Among the allegations in the Verified Complaint were that, on ten occasions, BOWMAN made material misrepresentations on applications for insurance.

CONCLUSIONS OF LAW

6. Idaho Code § 41-1016(1) provides that the Director of the Department may impose an administrative penalty of up to \$1,000, and suspend, revoke, or refuse to issue an insurance license for certain enumerated violations.

7. Idaho Code § 41-1016(1)(e) gives cause for the imposition of a penalty and action against a producer for “[m]isrepresenting the terms of an actual or proposed insurance contract or application for insurance or misrepresenting any fact material to any insurance transaction or proposed transaction.”

8. Idaho Code § 41-1016(1)(h) gives cause for the imposition of a penalty and action against a producer for “[u]sing fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, or being a source of injury and loss to the public or others, in the conduct of business in this state or elsewhere.”

9. By representing that applicants for insurance wished to schedule personal property items they did not own, did not wish to schedule, or wished to schedule for a different value than was listed on the application, BOWMAN and BOWMAN, LLC violated Idaho Code §§ 41-1016(1)(e) and 41-1016(1)(h).

10. Idaho Code § 41-117 makes clear that each instance of violation may be treated as a separate offense.

11. Idaho Code § 41-1007(2)(b) requires businesses that hold insurance producer licenses to have a designated responsible producer who is responsible for the business entity’s compliance with the insurance laws and rules of the state.

12. The parties agree that this matter may be brought to a close by a negotiated and stipulated settlement and entry of this Stipulation and Final Order.

AGREEMENT

13. Based upon the foregoing, BOWMAN, BOWMAN, LLC, and the Department stipulate and agree as follows:

- a. BOWMAN and BOMWAN, LLC admit to ten violations of Idaho Code § 41-1016(1)(e) and ten violations of Idaho Code § 41-1016(1)(h) by representing that applicants for insurance wished to schedule personal property items they did not own, did not wish to schedule, or wished to schedule for a different value than was listed on the application.

b. As sanction for the violations referenced above, BOWMAN, BOWMAN, LLC and the Department agree to the penalties set forth below and agree that the Director of the Department may enter the Final Order attached hereto, which provides as follows:

- i. That the Stipulation be adopted in full and incorporated into the Final Order;
- ii. That BOWMAN's Idaho Resident Producer License No. 488883 shall be REVOKED and that BOWMAN shall not submit, nor shall the Department consider, any application by BOWMAN for issuance or reinstatement of an Idaho producer license for a period of five (5) years from the issuance of the Final Order;
- iii. That BOWMAN, LLC's Idaho Resident Producer Agency License No. 609990 shall be REVOKED, and that BOWMAN, LLC shall not submit, nor shall the Department consider, any application by BOWMAN, LLC for issuance or reinstatement of an Idaho producer license for a period of five (5) years from the issuance of the Final Order;
- iv. That an administrative penalty shall be imposed against BOWMAN and BOWMAN, LLC, jointly and severally in the amount of Fifteen Thousand Dollars (\$15,000);
- v. That Thirteen Thousand Five Hundred Dollars (\$13,500) of this penalty is suspended, to become due if and when BOWMAN or BOWMAN, LLC applies for issuance or reinstatement of an Idaho

producer license;

vi. That the remaining One Thousand Five Hundred Dollars (\$1,500) shall be paid within 120 days of the issuance of the Final Order.

c. BOWMAN and BOWMAN, LLC further expressly agree that, in the event they submit to the Department an application for any Idaho license provided for and authorized under title 41, Idaho Code, the Department may consider the facts and allegations in the Verified Complaint in this action as true for the limited purpose of evaluating BOWMAN or BOWMAN, LLC's character and fitness for licensure.

14. By entering into this Stipulation, BOWMAN and BOWMAN, LLC knowingly and voluntarily waive any rights they would otherwise have to notice and a 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 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

15. The parties agree that the terms of this Stipulation and Final Order are appropriate and proper under the circumstances referenced herein.

16. BOWMAN and BOWMAN, LLC acknowledge that they have read this Stipulation and Final Order and understand its contents; that they have been given the opportunity to discuss this Stipulation and Final Order with independent legal counsel of their choosing; and that they have entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby.

17. BOWMAN and BOWMAN, LLC acknowledge that this is an administrative action that may be required to be reported on license applications and license renewal forms and disclosed

to other agencies through which BOWMAN and BOWMAN, LLC hold a license.

18. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department, BOWMAN, and BOWMAN, LLC upon such approval. Should the Director decline to approve this Stipulation and Final Order, the Department, BOWMAN, and BOWMAN, LLC shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by BOWMAN and BOWMAN, LLC herein shall be withdrawn.

19. This Stipulation constitutes the full and final resolution of all matters addressed herein, and the Department agrees that, subject to the Director's approval described above, the Department shall seek no further civil or administrative sanctions for the violations alleged in the Verified Complaint, Docket No. 18-3952-21, subject to the agreement set forth in Paragraph 13 above.

20. BOWMAN and BOWMAN, LLC agree that, upon execution of this Stipulation and Final Order, no subsequent action or assertion shall be maintained or pursued in any manner asserting the invalidity of this Stipulation and Final Order and its provisions.

21. This Stipulation and Final Order embodies the entire agreement between the Department, BOWMAN, and BOWMAN, LLC, and there are no agreements, understandings, representations, or warranties that are not expressly set forth herein.

22. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Final Order shall be a public record under the Idaho Public Records Act.

AGREED this 31 day of March, 2022.

By: Eva L.C. Bowman
EVA L.C. BOWMAN

AGREED this 31 day of March, 2022.

By: Bowman, LLC
BOWMAN, LLC Eva L.C. Bowman

AGREED this 31st day of March, 2022.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By: [Signature]
RANDALL M. PIPAL
Bureau Chief, Consumer Services

Approved as to Form:

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: [Signature]
Michael Witry
Deputy Attorney General
Attorney for the Department of Insurance

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance, EVA L.C. BOWMAN (“BOWMAN”), and BOWMAN, LLC (“BOWMAN, LLC”), 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 does hereby conclude that BOWMAN and BOWMAN, LLC did violate title 41, Idaho Code, as stated in the Stipulation.

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

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that Idaho Resident Insurance Producer License No. 488883 issued to BOWMAN is hereby REVOKED effective immediately and that BOWMAN shall not submit, nor shall the Department consider, any application by BOWMAN for issuance or reinstatement of an Idaho producer license for a period of five (5) years from the issuance of this Final Order;

IT IS FURTHER ORDERED that Idaho Resident Insurance Producer Agency License No. 609990 issued to BOWMAN, LLC is hereby REVOKED effective immediately, and that BOWMAN, LLC shall not submit, nor shall the Department consider, any application by BOWMAN, LLC for issuance or reinstatement of an Idaho producer license for a period of five (5) years from the issuance of this Final Order;

IT IS FURTHER ORDERED that an administrative penalty in the amount of Fifteen Thousand Dollars (\$15,000) is hereby imposed against BOWMAN and BOWMAN, LLC, jointly and severally;

IT IS FURTHER ORDERED that Thirteen Thousand Five Hundred Dollars (\$13,500) of this penalty is suspended, to become due if and when BOWMAN or BOWMAN, LLC applies for issuance or reinstatement of an Idaho producer license;

IT IS FURTHER ORDERED that the remaining One Thousand Five Hundred Dollars (\$1,500) shall be paid within 120 days of the issuance of this Final Order

DATED this 11th day of April, 2022.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

NOTICE REGARDING REPORTABLE PROCEEDINGS

The foregoing 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 for which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. You should be aware that this proceeding must be disclosed on any insurance license application and must be reported to any and all states in which you hold an insurance license.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 11th day of April, 2022, I caused a true and correct copy of the foregoing, fully-executed STIPULATION AND FINAL ORDER to be served upon the following by the designated means:

Eva L.C. Bowman 59108 E. 301 Road Grove, OK 74344	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input checked="" type="checkbox"/> email: elcbowman@yahoo.com
Bowman, LLC PO Box 452133 Grove, OK 74344	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:
American Amicable Life Insurance Company of Texas PO Box 2549 Waco, TX 76702-2549	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:
Gerber Life Insurance Company 1311 Mamaroneck Ave White Plains, NY 10605-0000	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:
John Hancock Life Insurance Company (U.S.A.) 200 Berkeley St Boston, MA 02116	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:
Mutual of Omaha Insurance Company Mutual of Omaha Plaza Omaha, NE 68175	<input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:

<p>United of Omaha Life Insurance Company Mutual of Omaha Plaza Omaha, NE 68175</p>	<p><input checked="" type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input type="checkbox"/> email:</p>
<p>Michael Witry Deputy Attorney General Idaho Department of Insurance 700 W. State Street, 3rd Floor P.O. Box 83720 Boise, ID 83720-0043</p>	<p><input type="checkbox"/> first class mail <input type="checkbox"/> certified mail <input type="checkbox"/> hand delivery <input checked="" type="checkbox"/> email: michael.witry@doi.idaho.gov</p>


Pamela Murray