

LAWRENCE G. WASDEN
Attorney General

RICHARD B. BURLEIGH, ISB No. 4032
Deputy Attorney General
State of Idaho
Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, Idaho 83720-0043
Telephone: (208) 334-4219
Facsimile: (208) 334-4298
richard.burleigh@doi.idaho.gov

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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

In the Matter of:

DAVID A. MATHERLY,
Idaho Non-Resident Insurance Producer,
License No. 128364

Docket No. 18-3046-15

**SUMMARY ORDER REVOKING
IDAHO NON-RESIDENT INSURANCE
PRODUCER LICENSE**

The Director of the Idaho Department of Insurance (Director) has received notice of the entry of an order by the Insurance Commissioner for the state of Florida revoking the Florida resident insurance license issued to DAVID A. MATHERLY (MATHERLY), as further described below. Upon review of such order, and, pursuant to the authority granted by Idaho Code § 41-1016(2), the Director does hereby make the following findings and enter a Summary Order as follows:

FINDINGS OF FACT

1. MATHERLY, at all times relevant hereto, was licensed as a resident insurance producer in the state of Florida.

2. On or about February 12, 2015, the Florida Department of Financial Services, Office of Insurance Regulation, entered a Final Order, in Case No. 154165-14-AG, revoking MATHERLY's Florida insurance license, based on MATHERLY's entry of a guilty plea to the felony offense of Driving with License Revoked (Felony-Habitual) in Pinellas County, Florida.

3. MATHERLY has been continuously licensed as an Idaho non-resident insurance producer, holding license number 128364 from the date of the initial issuance of such license on September 30, 2005, to the present date.

CONCLUSIONS OF LAW

4. Idaho Code § 41-1016(2) provides that the Director shall, without hearing, suspend for not more than twelve (12) months, or shall revoke or refuse to continue any insurance producer license issued under title 41, chapter 10, Idaho Code, where the Director has received a final order of suspension, revocation or refusal to continue issued by the insurance regulatory official or court of jurisdiction of the licensee's home state. Based on the foregoing, the Director finds that the circumstances set forth above justify the revocation of MATHERLY's Idaho non-resident insurance producer license, pursuant to Idaho Code § 41-1016(2).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Idaho Non-resident Insurance Producer License No. 128364 issued to MATHERLY is hereby REVOKED, effective immediately.

IT IS FURTHER ORDERED that MATHERLY shall immediately return Idaho Non-resident Insurance Producer License No. 128364 to the Idaho Department of Insurance at the following address: 700 West State Street, P.O. Box 83720, Boise, Idaho, 83720-0043.

DATED this 20th day of April, 2015.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



THOMAS A. DONOVAN
Acting Director

NOTIFICATION OF RIGHTS

This is a final order of the Director. 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 this order by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
- iv. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days of (a) the service date of this final order, (b) an order denying 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 an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

CERTIFICATE OF SERVICE


I HEREBY CERTIFY that, on this 20th day of April, 2015, I caused a true and correct copy of the foregoing SUMMARY ORDER REVOKING IDAHO NON-RESIDENT INSURANCE PRODUCER LICENSE to be served upon the following by the designated means:

David A. Matherly
1833 Bough Avenue, Apt. 3
Clearwater, FL 33760-1528

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

Richard B. Burleigh
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


Pamela Murray