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FILED

AUG 31 2015 

Department of Insurance  
State of Idaho

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

**STATE OF IDAHO**

In the Matter of:

MARKHAM L. CALDWELL,  
Idaho Nonresident Insurance Producer,  
License No. 406677

Docket No. 18-3080-15

**SUMMARY ORDER REVOKING  
IDAHO NONRESIDENT INSURANCE  
PRODUCER LICENSE**

The Director of the Idaho Department of Insurance (Director) has received notice of the entry of an order by the Commissioner of the Utah Insurance Department refusing to renew the Utah resident producer individual license issued to MARKHAM L. CALDWELL (CALDWELL), as further described below. Upon review of such order, and, pursuant to the authority granted by Idaho Code § 41-1016(2), the Director hereby makes the following findings and enters a summary order as follows:

### **FINDINGS OF FACT**

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

2. On or about August 11, 2014, the Commissioner of the Utah Insurance Department entered an order denying CALDWELL's application for renewal of his Utah resident producer individual license based on CALDWELL's failure to meet the character requirements for licensing. Such order became effective on or about August 26, 2014.

3. CALDWELL has been continuously licensed as an Idaho nonresident insurance producer, holding license number 406677 from the date of the initial issuance of such license on March 28, 2012, 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 CALDWELL's Idaho nonresident insurance producer license, pursuant to Idaho Code § 41-1016(2).

### **ORDER**

NOW, THEREFORE, IT IS HEREBY ORDERED that Idaho Nonresident Insurance Producer License No. 406677 issued to CALDWELL is hereby REVOKED, effective immediately.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-1027(1), that CALDWELL shall immediately return Idaho Nonresident Insurance Producer License No. 406677 to the Idaho Department of Insurance at the following address: 700 West State Street, P.O. Box 83720, Boise, Idaho, 83720-0043.

DATED this 28 day of August, 2015.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



DEAN L. CAMERON  
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.

### **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 as to which the Respondent is 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. The Respondent 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 the Respondent holds an insurance license.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 31 day of AUGUST, 2015, I caused a true and correct copy of the foregoing SUMMARY ORDER REVOKING IDAHO NONRESIDENT INSURANCE PRODUCER LICENSE to be served upon the following by the designated means:

Markham L. Caldwell  
Markham Caldwell Insurance Agency  
2665 Lincoln Avenue, Ste. C  
Ogden, UT 84401-3461

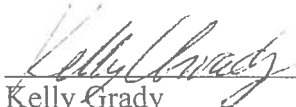
- first class mail
- certified mail
- hand delivery
- via facsimile

Markham L. Caldwell  
4188 Cottonwood Canyon Rd.  
Mountain Green, UT 84050-9795

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

Judy L. Geier  
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Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
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Kelly Grady