

LAWRENCE G. WASDEN
Attorney General

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Deputy Attorney General
Idaho Department of Insurance
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FILED *PM*
MAY 12 2017
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:

ASHLEY CLINE

Resident Producer License No. 552719

Docket No. 18-3313-17

ORDER OF DEFAULT

The Director of the Idaho Department of Insurance (“Director”) having reviewed the record herein; and ASHLEY CLINE (“CLINE”), who currently holds Resident Producer License No. 552719, having been lawfully served the Verified Complaint and Notice of Right to Hearing, a copy of which is attached hereto as Exhibit A and incorporated herein, and, as evident from the Affidavit of David M. Farney, 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 CLINE has waived her rights regarding the opportunity for hearing; and in consideration of the above;

IT IS HEREBY ORDERED that Resident Producer License No. 552719 issued to CLINE is REVOKED effective immediately and that, pursuant to Idaho Code § 41-1026(3), CLINE shall not be issued any license under title 41, Idaho Code, for a period of five (5) years, after which time CLINE must petition and show good cause why this revocation should not be deemed a bar to the issuance of a new license.

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-1027(1), that CLINE shall immediately return Resident Producer License No. 552719 to the Idaho Department of Insurance, P.O. Box 83720, Boise, Idaho 83720-0043.

IT IS SO ORDERED.

DATED this 11th day of May, 2017.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
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 you may be required to disclose this proceeding on any license application, and you may be required to report this action 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 12th day of May, 2017, I caused a true and correct copy of the foregoing ORDER OF DEFAULT to be served upon the following by the designated means:

Ashley Cline
Allstate Insurance
100 N. Woodruff Avenue
Idaho Falls, ID 83401-4335

first class mail
 certified mail
 hand delivery

Ashley Cline
766 Reed Avenue
Idaho Falls, ID 83402-2504

first class mail
 certified mail
 hand delivery

Allstate Fire and Casualty Insurance Company
2775 Sanders Road
Northbrook, IL 60062-6127

first class mail
 certified mail
 hand delivery

Allstate Indemnity Company
2775 Sanders Road
Northbrook, IL 60062-6127

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 hand delivery

David M. Farney
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


Pamela Murray

LAWRENCE G. WASDEN
Attorney General

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Deputy Attorney General
Idaho Department of Insurance
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FILED
APR 17 2017 *PM*
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:

ASHLEY CLINE

Resident Producer License No. 552719

Docket No. 18-3313-17

**VERIFIED COMPLAINT AND
NOTICE OF RIGHT TO HEARING**

COMES NOW the staff of the Idaho Department of Insurance (the "Department"), by and through its undersigned counsel, DAVID M. FARNEY, Deputy Attorney General, and does hereby give notice of verified allegations constituting violation(s) of Idaho law, notice that relief will be requested from the Director of the Department, and a notice of the right to contest the allegations and requested relief herein and right to hearing to:

ASHLEY CLINE

Resident Producer License No. 552719

The Department alleges the following facts and violations of title 41, Idaho Code, as itemized below. The Department will present an order seeking the relief described below upon twenty-one (21) days following service of this verified Complaint, and, ASHLEY CLINE, you are

further notified of your right to object to the requested relief, including the basis for any objection, and to request a hearing in writing.

PARTIES AND JURISDICTION

1. Idaho Code § 41-210 empowers the Director of the Idaho Department of Insurance (“Director”) to enforce the provisions of title 41, Idaho Code. As such, the Director has jurisdiction over this matter.

2. Ashley Cline (“RESPONDENT”), is duly authorized by the State of Idaho as a resident producer pursuant to license no. 552719 (“Resident Producer License”).

3. RESPONDENT was granted resident producer license no. 552719 effective November 19, 2015, pursuant to title 41, chapter 10, Idaho Code, which license is scheduled to expire on October 31, 2017.

4. RESPONDENT is therefore subject to title 41, Idaho Code, and to the rules of the Department.

ALLEGATIONS

5. The Department incorporates by reference all the above paragraphs as though fully set forth herein.

6. On November 21, 2016, a Criminal Information was filed by the United States of America against RESPONDENT in the U.S. District Court for the District of Idaho, case no. 4:16-cr-273-BLW, alleging Wire Fraud arising under title 18 of the United States Code.

7. On November 21, 2016, RESPONDENT entered into a Rule 11 Plea Agreement whereby RESPONDENT pled guilty to the crime of Wire Fraud, 18 U.S.C. § 1343, which crime is a felony.

8. The Plea Agreement states at page 2 that “From approximately May 2013 through April 2015, the defendant was employed as the office manager for the Laborers International

Union North America, Local Union 155 (hereinafter "LIUNA LU 155")" The Plea Agreement further states at page 3 that "From approximately May 2013 through April 2015, the defendant intentionally embezzled approximately \$30,776 from LIUNA LU 155."

FIRST CAUSE OF ACTION
Violation of Idaho Code §§ 41-1016(1)(f) and 41-1026(3)

9. The Department incorporates by reference all the above paragraphs as though fully set forth herein.

10. This action is brought pursuant to Idaho Code § 41-1016(1), which defines the causes and violations that can lead to the imposition of administrative penalties, and suspension, revocation, or refusal to issue an insurance license.

11. Idaho Code § 41-1016(1)(f) gives cause for the imposition of a penalty and action against a producer for "Being convicted of or pleading guilty to any felony."

12. RESPONDENT pled guilty to the felony of wire fraud, which constitutes a violation of Idaho Code § 41-1016(1)(f).

13. Therefore, the Department has cause and is entitled to an order that revokes RESPONDENT's resident producer license pursuant to Idaho Code § 41-1016(1)(f).

14. Idaho Code § 41-1026(3) provides that the Director shall not issue a license under title 41, Idaho Code, to any person whose license has been revoked until after the expiration of not less than one (1) year to a maximum of five (5) years and, upon a former licensee's application for re-licensure, the Director may require "the applicant to show good cause why the prior revocation ... shall not be deemed a bar to the issuance of a new license."

SECOND CAUSE OF ACTION
Violation of Idaho Code §§ 41-1016(1)(h) and 41-1026(3)

15. The Department incorporates by reference all the above paragraphs as though fully set forth herein.

16. This action is also brought pursuant to Idaho Code § 41-1016(1), which defines the causes and violations that can lead to the imposition of administrative penalties, and suspension, revocation, or refusal to issue an insurance license.

17. 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.”

18. RESPONDENT’s actions in embezzling money from her employer constitute the use of fraudulent and/or dishonest practices, and were a source of a loss to others in violation of Idaho Code § 41-1016(1)(h).

19. Therefore, the Department has cause and is entitled to an order that revokes RESPONDENT’s resident producer license pursuant to Idaho Code § 41-1016(1)(h).

20. Idaho Code § 41-1026(3) provides that the Director shall not issue a license under title 41, Idaho Code, to any person whose license has been revoked until after the expiration of not less than one (1) year to a maximum of five (5) years and, upon a former licensee’s application for re-licensure, the Director may require “the applicant to show good cause why the prior revocation ... shall not be deemed a bar to the issuance of a new license.”

REQUEST FOR RELIEF

Based upon the foregoing facts and allegations, the Department requests relief as follows:

- For an Order revoking RESPONDENT’s Idaho Resident Producer License No. 552719 and providing that RESPONDENT shall not be issued a new license for a period of five (5) years, after which time RESPONDENT must petition and show good cause why the prior revocation should not be deemed a bar to the issuance of a new license; and,

- For such other and further relief as the Director deems just and necessary under the circumstances.

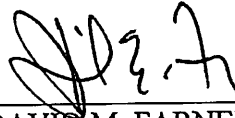
NOTICE OF RIGHT TO OBJECT AND TO REQUEST A HEARING

THEREFORE, based on violations as alleged above, ASHLEY CLINE, you have the right to have a hearing in accordance with Idaho Code § 41-232A. In order to effectively object to this notice and prevent an order for the requested relief from being entered, you must, within twenty-one (21) days of the date of issuance of this Verified Complaint and Notice of Right to Hearing, submit a written request for a hearing to the Director of the Idaho Department of Insurance, responding to the alleged violations pending against you. You must deliver any written request for hearing by mailing it to the Director, Idaho Department of Insurance, P.O. Box 83720, Boise, Idaho 83720-0043, or personally delivering said written request to the offices of the Department of Insurance at 700 W. State Street, Third Floor, Boise, Idaho, and also providing a copy to the undersigned at the same address.

If you fail to submit a timely written response to the allegations and request for hearing, a final order will be entered imposing the relief described above after twenty-one (21) days from the issuance of this Complaint.

DATED this 17th day of April, 2017.

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



By: DAVID M. FARNEY
Deputy Attorney General
Attorney for the Department of Insurance

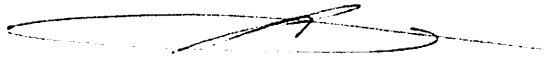
VERIFICATION

STATE OF IDAHO)
 : ss.
County of Ada)

LISA TORDJMAN, for the Department of Insurance, State of Idaho, being first duly sworn, deposes and says:

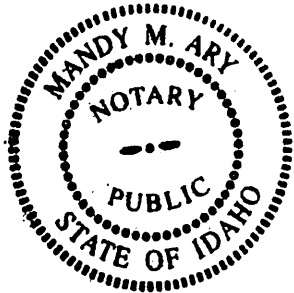
I have read the foregoing Verified Complaint and Notice of Right to Hearing and know the contents thereof, and the same are true to the best of my knowledge and belief and based on the records of the Department.

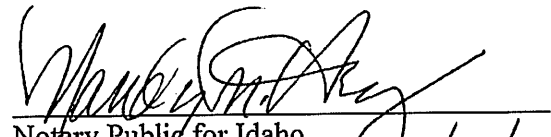
DATED this 17th day of April 2017.



LISA TORDJMAN
Supervisor, Producer Licensing
IDAHO DEPARTMENT OF INSURANCE

SUBSCRIBED AND SWORN to before me this 14th day of April 2017.





Notary Public for Idaho
My commission expires on 7/24/18

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, on this 17th day of April, 2017, and in compliance with Idaho Code § 41-232A, caused a true and correct copy of the foregoing VERIFIED COMPLAINT AND NOTICE OF RIGHT TO HEARING to be served upon the following by the designated means:

Ashley Cline
Allstate Insurance
100 N. Woodruff Avenue
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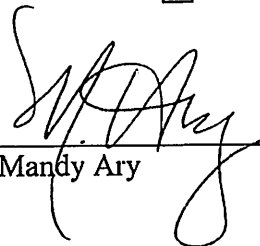
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- hand delivery



Mandy Ary