

BEFORE THE DIVISION OF INSURANCE, STATE OF COLORADO

Division File No. 149619

Final Agency Order No. 0-06-080

STIPULATION FOR ENTRY OF FINAL AGENCY ORDER

IN THE MATTER OF THE INSURANCE PRODUCER LICENSE WITH BAIL BOND
AUTHORITY OF JUSTIN B. CANTERBURY, LICENSE NUMBER 60458,

Respondent.

The State of Colorado Division of Insurance ("Division") and Justin B. Canterbury ("Respondent"), hereby enter into this Stipulation for Entry of Final Agency Order ("Stipulation") and do stipulate and agree as follows:

Jurisdiction of the Division

1. Respondent is licensed as an insurance producer with bail bond authority. Respondent's license number is 60458.
2. The Division has jurisdiction over Respondent and the subject matter of this proceeding pursuant to §§ 10-2-101 through 10-2-1101, C.R.S., the Colorado Producer Licensing Model Act, and §§ 12-7-101 through 12-7-113, C.R.S., the Bail Bonding Agent Act.

Factual Allegations

3. On or around September 29, 2004, the Division and Respondent entered into a Settlement Stipulation for Final Agency Order ("Settlement Stipulation") which sought to resolve the allegations asserted against Respondent in Division file number 149619. The allegations involved Respondent writing a bond on or around April 27, 2004 in an amount that exceeded the power of attorney posted.
4. In the Settlement Stipulation, Respondent agreed that in order to settle his alleged violations of the Colorado insurance laws, he would pay a civil penalty in the amount \$1,000.00 within sixty (60) days from the date of the Final Agency Order approving the Settlement Stipulation.
5. The Final Agency Order, number 0-05-049, which adopted and incorporated the terms of the Settlement Stipulation between the Division and Respondent, was signed and entered on October 14, 2004 by then Commissioner of Insurance Doug Dean.

6. On or around October 15, 2005, the Division sent Respondent a fully executed copy of the Settlement Stipulation and Final Agency Order regarding Division file number 149619. Under the same cover dated October 15, 2005, the Division sent Respondent invoice number 21885 in order to remit the civil penalty of \$1,000.00 to the Division.

7. In accordance with the terms of the Settlement Stipulation and Final Agency Order, Respondent had up and through December 14, 2004 in which to remit the civil penalty of \$1,000.00 to the Division.

8. The Division has not received payment of the civil penalty in the amount of \$1,000.00, and Respondent admits that he has not yet paid the civil penalty.

Applicable Colorado Law

9. Section 10-2-801(1)(c), C.R.S., provides in relevant part that the Commissioner may place on probation, suspend, revoke, refuse to renew or continue, or refuse to issue an insurance producer license if the Commissioner finds that the licensee or applicant is in violation of, or noncompliance with, any insurance law, or violation of any lawful rule, order, or subpoena of the Commissioner.

10. Section 10-2-802(1)(a), C.R.S., provides in relevant part that an insurance producer license remains the property of the Commissioner and that upon suspension or revocation, or termination of an insurance producer license, the license shall be returned promptly to the Commissioner either by personal delivery or by certified or registered mail within fifteen days of said suspension, revocation, or termination.

11. Section 10-2-804(4), C.R.S., provides in relevant part that in addition to or in lieu of any applicable denial, suspension, or revocation of an insurance producer license, a person who violates any provision of this article 8 of title 10, C.R.S., may, after hearing, be subject to any remedy or civil penalty of not more than one thousand dollars for each such violation.

Respondent's Violations

12. Respondent is in noncompliance with Final Agency Order number 0-05-049 by failing to pay the civil penalty in the amount of \$1,000.00 by the deadline of December 14, 2004. Respondent's noncompliance with a lawful order of the Commissioner is a violation of § 10-2-801(1)(c), C.R.S., which constitutes grounds for the suspension or revocation of Respondent's insurance producer license with bail bond authority and/or the imposition of a civil penalty of not more than \$1,000.00 per violation pursuant to § 10-2-804(4), C.R.S.

Stipulation to Settle Violations

The Division and Respondent stipulate and agree to settle the violation referenced above as follows:

13. Respondent shall pay the civil penalty of \$1,000.00 that he was ordered to

pay pursuant to Final Agency Order number 0-05-049.

14. Respondent's insurance producer license with bail bond authority shall be suspended until he pays in full the civil penalty referenced in Paragraph 13 above. Said suspension shall commence the date of the Final Agency Order approving this Stipulation.

15. Respondent shall surrender his insurance producer license with bail bond authority during the suspension period. Respondent shall return to the Division by either personal delivery or by certified or registered mail his insurance producer license with bail bond authority within fifteen days from the date of the Final Agency Order approving this Stipulation.

16. Respondent understands, acknowledges and agrees that during the suspension period which shall commence the date of the Final Agency Order approving this Stipulation, Respondent shall be unauthorized to engage in the transaction of insurance business, including but not limited to, the solicitation, negotiation, selling, writing, or posting of any bail bonds, or engaging in any other activities that require bail bonding licensure.

17. Respondent certifies that from the date of the Final Agency Order approving this Stipulation and until he pays in full the civil penalty referenced in Paragraph 13 above and his suspension is subsequently lifted, Respondent will not conduct any transaction of insurance business as set forth in Paragraph 16 above.

18. By entering into this Stipulation, Respondent knowingly and voluntarily waives the right to: a hearing in this matter; the right to be represented at such hearing by counsel chosen and retained by Respondent; the right to present a defense, oral and documentary evidence, and cross-examine witnesses at such hearing; and the right to seek judicial review of this Stipulation and the Final Agency Order approving this Stipulation.

19. By execution of this Stipulation and the Final Agency Order approving the Stipulation, the Division and Respondent intend to and do resolve all issues pertaining to the matters at issue in Division file numbers 153649.

20. If Respondent fails to comply with any term or condition of this Stipulation from the date of the Final Agency Order approving this Stipulation or thereafter, the Division may, in its sole discretion, suspend or revoke Respondent's insurance producer license with bail bonding authority, without further proceeding.

21. Respondent agrees that if the Division revokes Respondent's insurance producer license with bail bonding authority as outlined in Paragraph 20 above, Respondent shall be ineligible to reapply for insurance licensure in Colorado for two years from the date of the revocation. Any application submitted by Respondent during this period of ineligibility shall be deemed a violation of this Stipulation and Final Agency Order.

22. If Respondent makes application to the Division for any insurance license after any ineligibility period, Respondent shall have the burden of establishing that the same circumstances alleged in this Stipulation no longer exist and are not likely to recur. Respondent

shall also have the burden of establishing that he has fully complied with the terms of this Stipulation. Should Respondent fail to meet any licensing criteria or any of the terms of this Stipulation, the Division may, in its sole discretion, deny his license without further proceeding.

23. Neither this Stipulation or the Final Agency Order approving this Stipulation shall be deemed in any manner to prevent the Division from commencing any other agency action relating to any other conduct of Respondent not settled herein, and without regard to whether such conduct occurred prior to the date of this Stipulation or the Final Agency Order approving this Stipulation.

24. Respondent understands and acknowledges that this Stipulation and the Division's investigative file is a public record.

25. Respondent understands and acknowledges that this Stipulation and Final Agency Order approving this Stipulation shall be reported to the NAIC.

26. This Stipulation is subject to the final approval of the Commissioner or his designee.

27. This Stipulation and the Final Agency Order approving this Stipulation constitutes the entire agreement between the Division and Respondent, and that there are no agreements, understandings, representations or warranties which are not expressly set for herein.

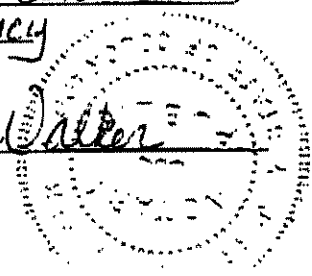
FOR RESPONDENT:

[Signature]
Justin B. Canterbury, Respondent
License No. 60458

10/20/05
Date

Subscribed and sworn to before me in the County of Garfield, State of Colorado,
this 20 day of October 2005 by Justin Canterbury

[Signature]
NOTARY PUBLIC



My Commission expires:
11/27/2008

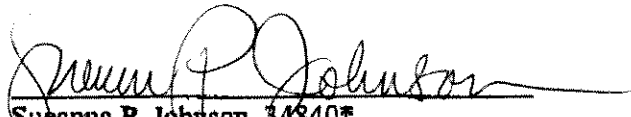
FOR THE COLORADO DIVISION OF INSURANCE:


ERIN TOLL, ESQ.

Deputy Commissioner of Compliance and
Market Regulation

APPROVED AS TO FORM:

JOHN SUTHERS
Attorney General


Susanna P. Johnson, 34840*
Assistant Attorney General
Business & Licensing Section

Attorneys for the Colorado Division of
Insurance

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Denver, Colorado 80203
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BEFORE THE COLORADO DIVISION OF INSURANCE

STATE OF COLORADO

Division File Nos. 149619
DOI Order No. 0-06-080

FINAL AGENCY ORDER

IN THE MATTER OF THE INSURANCE PRODUCER LICENSE WITH BAIL BOND
AUTHORITY OF JUSTIN B. CANTERBURY, LICENSE NUMBER 60458

Respondent.

THIS MATTER comes before David F. Rivera, Commissioner of Insurance for the State of Colorado ("Commissioner"), upon the Stipulation for Entry of Final Agency Order between the Colorado Division of Insurance ("Division") and Justin B. Canterbury ("Respondent"). After reviewing the Stipulation, the Commissioner makes the following Findings and enters the following Order:

FINDINGS

1. The Commissioner has jurisdiction over Respondent and this matter pursuant to §§ 10-1-103(1), 10-1-108(5), C.R.S., and §§ 10-2-101 through 1101, C.R.S., the Colorado Producer Licensing Model Act, and §§ 12-7-101 through 12-7-113, C.R.S., the Bail Bonding Agent Act.

2. By entering into the Stipulation, Respondent has waived his right to a hearing on the allegations asserted against him pursuant to §§ 10-2-801 and 24-4-104 and 105, C.R.S.; the right to be represented at such hearing by counsel chosen and retained by Respondent; the right to present a defense, oral and documentary evidence, and cross-examine witnesses at such hearing; and the right to seek judicial review of this Final Agency Order.

ORDER

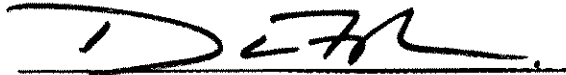
Based upon the foregoing and the terms of the Stipulation between the Division and Respondent, it is hereby ORDERED as follows:

3. Respondent shall pay the civil penalty in the amount of \$1,000.00 pursuant to Final Agency Order 0-05-049. Until said civil penalty is paid in full, Respondent's insurance producer license with bail bond authority shall be suspended. Respondent shall surrender his insurance producer license with bail bond authority during the suspension period by returning it to the Division by personal delivery or by certified or registered mail within fifteen (15) days from the date of this Final Agency Order. During said suspension, Respondent shall be unauthorized to engage in the transaction of insurance business, including but not limited to, the solicitation, negotiation, selling, writing, or positing of any bail bonds, or any engaging in any other activities that require bail bonding licensure.

4. In the event the Division commences an action against Respondent for an alleged violation of this Final Agency Order, this Final Agency Order, Stipulation, and the factual basis of this proceeding shall be admissible in any such action.

5. The Stipulation is incorporated by reference and all its conditions, terms, and agreements are specifically made a part of this Order as though fully set forth herein

DONE AND ORDERED this 27th day of October, 2005.



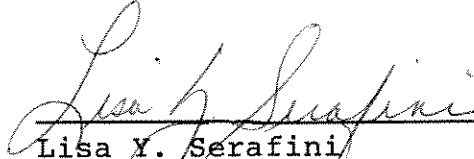
DAVID F. RIVERA
COLORADO INSURANCE COMMISSIONER

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within STIPULATION FOR ENTRY OF FINAL AGENCY ORDER AND FINAL AGENCY ORDER upon all parties herein by depositing copies of same in the United States mail, first-class postage prepaid, at Denver, Colorado, this 1st day of November 2005 addressed as follows:

Justin B. Canterbury
PO Box 1463
Rifle, Colorado 81650

Sucanna P. Johnson
Assistant Attorney General
Office of the Colorado Attorney General
1525 Sherman Street, 5th Floor
Denver, Colorado 80203



Lisa Y. Serafini
Investigation Unit Assistant