

BEFORE THE DIVISION OF INSURANCE

STATE OF COLORADO

Case No. 153866

Order No. 0-05-220

STIPULATION FOR ENTRY OF FINAL AGENCY ORDER

IN THE MATTER OF VICKI DONOHO, Insurance Producer License No. RPB 60460, Respondent.

The Respondent and the Colorado Division of Insurance hereby stipulate and agree as follows:

1. Respondent was licensed as a bail-bonding agent, whose license was issued by the Colorado Division of Insurance ("Division"), for all or part of the period from January 1, 2000 - June 30, 2004.
2. The Division has jurisdiction over the Respondent and the subject matter of this Stipulation.
3. Respondent specifically admits and agrees that:
 - He/she **filed to file** the annual bail bond reports for the periods of:
 - o July 1, 2002 - June 30, 2003 Due November 1, 2003
4. Respondent agrees that his/her conduct, as set forth in paragraph 3 of this Stipulation, constitutes violations of:
 - Section 12-7-105(1), C.R.S., and Section 12-7-106(1)(b), C.R.S.
5. Respondent agrees to a monetary penalty pursuant to Section 12-7-106(3), C.R.S., in the amount of \$500.00, which penalty shall be paid to the Division no later than 30 days after the date the Final Agency Order is signed by the Commissioner of Insurance.
6. Respondent hereby certifies that the bail bond reports for the period(s) referenced in paragraph 3 above have been filed and/or attached to this Stipulation.
7. Respondent agrees that failure to pay this penalty within the above-prescribed time period will constitute grounds for revocation of Respondent's license without further notice of hearing.
8. This Stipulation and the Final Agency Order entered pursuant hereto are in settlement of any disciplinary actions referenced herein, and arising out of the above-described matters only, shall not be deemed a waiver in any manner of the rights, duties or obligations of the Division with respect to any other violation by the Respondent of the statutes and regulations governing the conduct of bail bonding agents and insurance producers in the State of Colorado.

9. Respondent understands that this Stipulation may not be accepted by the Division if received by the Division after the filing of charges against the Respondent for violations of 12-7-105(1), C.R.S., and Section 12-7-106(1)(b), C.R.S.

10. Respondent and the Division understand and agree that it is the intent and purpose of this Stipulation to resolve all issues pertaining to the Division's allegations of the matters referenced above. This Stipulation shall not be deemed in any manner to prevent the Division from commencing any other agency action, relating to any other conduct of the Respondent, without regard to whether such conduct occurred prior or subsequent to the date of this Stipulation.


11. By entering into this Stipulation, Respondent knowingly and voluntarily waives his/her right to a hearing; 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 Order approving this Stipulation to which he/she may be entitled pursuant to §§ 24-4-104 through 24-4-106, C.R.S.

12. The Respondent expressly agrees and acknowledges that he/she has entered into this Stipulation knowingly and voluntarily. Regardless of whether Respondent has been represented by legal counsel, Respondent affirms that he/she has read this Stipulation and fully understands its nature, meaning and content. Respondent agrees that upon execution of this Stipulation, no subsequent action or assertion shall be maintained or pursued asserting the invalidity in any manner of this Stipulation and its provisions.

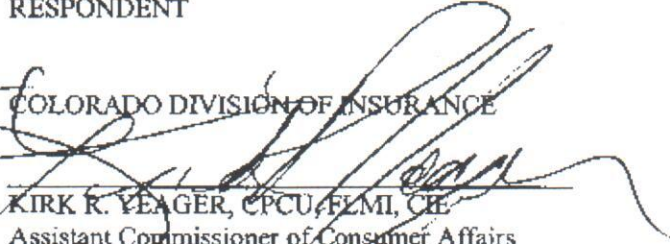
13. This Stipulation is subject to approval by the Commissioner of Insurance or his designee.

14. Respondent understands that, pursuant to Division procedures, this administrative action will be reported to the National Association of Insurance Commissioner's database for tracking.

Dated this 28 day of March, 2005.


VICKI DONOHO
RESPONDENT

DATED: 

COLORADO DIVISION OF INSURANCE

KIRK R. YEAGER, CPCU, FLMI, CE
Assistant Commissioner of Consumer Affairs

BEFORE THE DIVISION OF INSURANCE, STATE OF COLORADO

Case No. 153866

Order No. O- 05-220

FINAL AGENCY ORDER

IN THE MATTER OF VICKI DONOHO, Insurance Producer License No. RPB 60460, Respondent.

THIS MATTER is before Doug Dean, Insurance Commissioner for the State of Colorado ("Commissioner"), on the Stipulation for Entry of Final Agency Order ("Stipulation") between the Colorado Division of Insurance ("Division") and VICKI DONOHO, ("Respondent"). After reviewing the Stipulation attached hereto and incorporated herein by reference, grounds therein, and further being fully advised in the premises, the Commissioner makes the following Findings and enters the Orders as hereinafter set forth:

FINDINGS

1. The Commissioner has jurisdiction over the Respondent and this matter pursuant to the provisions of the Colorado Producer Licensing Model Act §§ 10-2-101 through 1008, C.R.S. and §§ 12-7-101 through 12-7-113, C.R.S.
2. By entering into the Stipulation, Respondent has waived his/her/its right to a hearing on the allegations referenced in the Stipulation pursuant to § 10-2-801, C.R.S., §12-7-106, C.R.S., § § 24-4-104 and 24-4-105, 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.
3. The violations set forth in the Stipulation provide the Commissioner with sufficient grounds to fine the Respondent pursuant to §12-7-106(3) C.R.S. as noted in the Stipulation.

ORDER

NOW, THEREFORE, on the basis of the foregoing, it is hereby ORDERED as follows:

1. Respondent is ordered to pay the fine referenced in the Stipulation to the Division. In the event Respondent does not pay the fine referenced in the Stipulation by the expiration of 30 days from the date of this Final Agency Order, the Division may, in its sole discretion, revoke without further proceeding Respondent's insurance producer license.
2. In the event the Division commences an action against Respondent to revoke his/her insurance producer license of for alleged violation of this Final Agency Order, the Stipulation, The Final Agency Order and the factual basis of this proceeding shall be admissible in any such action.

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

DONE AND ORDERED this 14th day of April, 2005.

COLORADO DIVISION OF INSURANCE



DOUG DEAN
Acting Commissioner of Insurance

(SEAL)

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within FINAL AGENCY ORDER and a fully executed copy of the STIPULATION FOR ENTRY OF 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 28th day of April, 2005 addressed as follows:

VICKI DONOHO
600 Boulder Ave.
Fort Collins, CO 80524

VICKI DONOHO
749 S. Lemay A3
Apt. 385
Fort Collins, CO 80524



Colorado Division of Insurance