

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)
)
Bart Winterton,) CEASE AND DESIST ORDER
NPN 8682255,)
DOB 12/31/78,) CASE NO. AG-12-354
)
Respondent.)

TO: Bart Winterton, Vice President, Leavitt Group Insurance Agency of Vernal, Inc.,
205 North Vernal Avenue, Vernal, UT 84078

Insurance Commissioner Adam Hamm (hereinafter "Commissioner") has determined
as follows:

1. N.D.C.C. § 26.1-01-03.1 authorizes the Commissioner to issue an Order to
cease and desist when it appears that any person or business entity is or has engaged in
an act or practice which violates or may lead to a violation of the North Dakota Century
Code.

2. N.D.C.C. ch. 26.1-26 regulates the licensing of insurance producers.

3. Bart Winterton, NPN 8682255, DOB 12/31/78 (hereinafter "Respondent"), is
not presently, nor has been at any time pertinent to this action, a licensed North Dakota
insurance producer.

4. N.D.C.C. § 26.1-26-03 states:

**26.1-26-03. License required - Acting as insurance
producer or consultant without license prohibited -
Penalty.**

No person may act as or hold oneself out to be an insurance
producer, insurance consultant, or surplus lines insurance
producer unless licensed under this chapter. A person may not

sell, solicit, or negotiate insurance in this state for any class of insurance unless the person is licensed for that line of authority in accordance with this chapter. Any person willfully violating this section is guilty of a class C felony.

5. On or about December 15, 2011, the Commissioner came into information which alleges that for the previous 14 months Respondent did knowingly and intentionally act as or hold himself out to be an insurance producer, insurance consultant, or surplus lines producer despite not being licensed for any line of authority in this state under N.D.C.C. ch. 26.1-26. Respondent's conduct is a violation of N.D.C.C. § 26.1-26-03.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to N.D.C.C. § 26.1-01-03.1 that Respondent, whether acting in the State of North Dakota as an insurer, a risk retention group, a purchasing group, an insurance producer, or otherwise engaging in the business of insurance, either directly or indirectly through named and unnamed persons, entities, agents, or otherwise, shall immediately **CEASE AND DESIST** from soliciting, transacting, or otherwise engaging in the business of insurance.

IT IS FURTHER ORDERED pursuant to N.D.C.C. § 26.1-01-03.1 that Respondent may make a written request for a hearing on this matter within 30 days of the date of this Order.

If the Respondent fails to request a hearing in writing within 30 days after being served with a copy of this Cease and Desist Order, the Commissioner shall make the Cease and Desist Order permanent, as the facts require.

DATED this 14th day of May, 2012.



Adam Hamm
Commissioner
North Dakota Insurance Department
600 East Boulevard Avenue, Dept. 401
Bismarck, ND 58505
(701) 328-2440