

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Judith Marie Borden
System ID No. 0057822

Enforcement Case No. 18-15324

Respondent.

_____ /

Issued and entered
on Feb. 26, 2019
by Teri L. Morante
Chief Deputy Director

ORDER ACCEPTING STIPULATION

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS) in this matter, the Chief Deputy Director finds and concludes that:

1. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 *et seq.*, and the Michigan Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
4. All applicable provisions of the APA have been met.
5. Respondent violated Section 4155(1)(a) of the Code, MCL 500.4155(1)(a) and Sections 1239(1)(b) and (1)(j) of the Code, MCL 500.1239(1)(h) and (1)(j), by failing to reasonably inform consumers of tax penalties upon the surrender of an annuity, and by forging the signature of a customer on annuity surrender forms without consent.

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case, **IT IS ORDERED THAT:**

6. Respondent shall Cease and Desist from operating in a manner that violates the Code.
7. Respondent shall Cease and Desist from all insurance activity.
8. Respondent's resident insurance producer license (System ID No. 0057822) is hereby REVOKED.

9. The Chief Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Code. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.



Teri L. Morante
Chief Deputy Director

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

JUDITH MARIE BORDEN
System ID No. 0057822

ENFORCEMENT CASE NO. 18-15324

Respondent

_____ /

STIPULATION TO ENTRY OF ORDER

Judith Marie Borden (Respondent) stipulates to the following:

1. On or about September 25, 2018, the Department of Insurance and Financial Services (DIFS) served Respondent with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent violated provisions of the Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Specifically, the NOSC contained allegations that Respondent violated Section 4155(1)(a) of the Code, MCL 500.4155(1)(a) and Sections 1239(1)(h) and (1)(j) of the Code, MCL 500.1239(1)(h) and (1)(j). The NOSC alleged that Respondent failed to reasonably inform a customer of tax penalties upon the surrender of an annuity, and forged the signature of a customer on annuity surrender forms without consent.
3. Respondent admits to the allegations that she violated the Code.
4. Respondent and DIFS conferred for the purpose of resolving this matter.
5. Respondent waives the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
6. At all pertinent times, Respondent was licensed with DIFS as a resident insurance producer pursuant to the Code.
7. All parties have complied with the procedural requirements of the APA and the Code.
8. Respondent agrees that she will operate in a manner that does not violate the Code.
9. Respondent agrees that Respondent's resident insurance producer license shall be revoked.
10. Respondent has had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.

11. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
12. Respondent understands and agrees that the Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.



JUDITH MARIE BORDEN
System ID No. 0057822

2-15-19

Date

DIFS Staff approve this Stipulation and recommend that the Chief Deputy Director accept it and issue an Order Accepting Stipulation.



Diego R. Avila (P72857)
DIFS Staff Attorney

2/22/19

Date