

MAR 11 2008

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In the Matter of:)

) No. 07A-190 - INS

NICOLE SHANTELLE GALBRAITH)

dba QUICK BAIL BONDS)

) **CONSENT ORDER**

Respondent.)

)

_____)

The State of Arizona Department of Insurance ("Department") has received evidence that Nicole Shantelle Galbraith dba Quick Bail Bonds ("Respondent") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

Respondent is, and was at all material times licensed as an Arizona resident bail bond agent, Arizona license number 183878, which license expires May 31, 2010 and operated under the assumed business name of Quick Bail Bonds.

2. On July 19, 2006, Roche Surety, Inc., contracted with Galbraith to transact bail bonds on its behalf in Arizona.
3. On or about March 23, 2007, Phillis Marie Rael ("Ms. Rael") paid Respondent \$5,675.30 via her Master Card (ending in 0593) to bail her brother, Jim Reno, out of jail. Respondent entered into an indemnity agreement with Ms. Rael on a Roche Surety & Casualty Co., Inc. form.
4. Respondent failed to post a Roche Surety & Casualty Co., Inc. bail bond.
5. On March 24, 2007, Respondent posted a \$5,000.00 cashier's check with the court for Reno's release.
6. On July 6, 2007, Respondent wrote a letter to Mesa City Court advising them that she moved her office address and requested they send her the refund on the Jim Reno bond to her residence address.

7. On July 7, 2007, the Mesa City Court issued a \$5,000.00 refund to Respondent on Docket #2007-021249.

8. Respondent failed to refund the money to Ms. Rael.

CONCLUSIONS OF LAW

The Director has jurisdiction over this matter.

Respondent's conduct as described above constitutes improperly withholding and misappropriating monies in the course of insurance business within the meaning of A.R.S. §20-295(A)(4).

Respondent's conduct as described above constitutes intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance within the meaning of A.R.S. §20-295(A)(5).

Respondent's conduct as described above constitutes using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere within the meaning of A.R.S. §20-295(A)(8).

Respondent's conduct as described above constitutes charging or collecting monies for purposes other than to pay the premium at the rates established by the surety, provide collateral, and/or to be reimbursed for actual and reasonable expenses incurred in connection with the individual bail transaction within the meaning of A.R.S. §20-340.03(D).

Respondent's conduct, as described above, constitutes violating any provision of Title 20, within the meaning of A.R.S. § 20-295(A)(2).

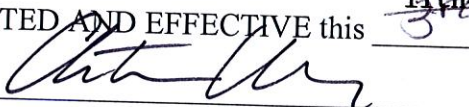
Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A) and (F).

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent's license is revoked effective immediately upon entry of this Order.
2. Respondent shall immediately pay restitution to Ms. Rael in the amount of \$5,675.30.

DATED AND EFFECTIVE this 11th day of March, 2008

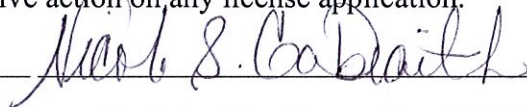


CHRISTINA URIAS

Director of Insurance

CONSENT TO ORDER

1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
2. Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her right to such notice and hearing and to any court appeals relating to this Consent Order.
4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Consent Order and that she has entered into this Consent Order voluntarily.
5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against her and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future.
6. Respondent acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC). Respondent further acknowledges that she must report this administrative action to any and all states in which she holds an insurance license and must disclose this administrative action on any license application.



Date Nicole Shantelle Galbraith, License No. 183878

COPIES of the foregoing mailed/delivered

this ^{11th} ~~5th~~ day of ^{March} ~~FEBRUARY~~, 2008, to:

Nicole Shantelle Galbraith

2450 W. Maplewood St.

Chandler, Arizona 85248

Mary Kosinski, Executive Assistant for Regulatory Affairs

Catherine M. O'Neil, Consumer Legal Affairs Officer

Terry Cooper, Assistant Director

Steve Fromholtz, Licensing Supervisor