

JAN 13 2012

DEPT OF INSURANCE
BY 

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

In The Matter Of:
EASY BAIL BONDS, LLC,
(License # 905938)
CAMPOFIORE, ALBERT JOSEPH
(Arizona License # 946698)
(National Producer # 3390813),
ENNIS, SCOTT ALAN
(Arizona License # 905937)
(National Producer # 4685605), and
GAGNON, JOSEPH HENRY (JR)
(Arizona License # 947520) (National
Producer # 14428726).

No. 11A-015-INS

CONSENT ORDER WTH EASY BAIL
BONDS, LLC, and JOSEPH HENRY
GAGNON, JR.

Respondents.

The State of Arizona Department of Insurance ("Department") has received evidence that **Easy Bail Bonds, LLC and Joseph Henry Gagnon, Jr.** (collectively "Respondents") violated provisions of Title 20, Arizona Revised Statutes. Respondents wish to resolve this matter without the commencement of formal proceedings, admit the following Findings of Fact are true, and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Easy Bail Bonds, LLC ("Easy BB") is, and was at all material times licensed as an Arizona resident bail bond agent, Arizona license number, 905938, which expired on November 30, 2011.

2. Joseph Henry Gagnon Jr. ("Gagnon") is licensed as an Arizona resident bail bond agent, Arizona license number, 947520. Gagnon's license expires on June 30, 2013. According to the Arizona Corporation Commission's ("ACC") records, on

1 September 22, 2009, Gagnon became the Member/Manager of Easy BB¹. Gagnon did
2 not notify the Department's licensing division that he was the Member/Manager of Easy
3 BB. On September 29, 2010, the Department was notified that Gagnon was the
4 Designated Responsible Licensed Producer of record for Easy BB.

5 3. Albert Joseph Campofiore ("Campofiore") is licensed as an Arizona non-
6 resident bail bond agent, Arizona license number, 946698, which expires on April 30,
7 2013. According to the ACC's records, Campofiore has been a Member of Easy BB since
8 September 22, 2009. Respondents never notified the Department that Campofiore was a
9 Member of Easy BB.

10 Fairchild Bond

11 4. On or about May 19, 2009, Leila Fairchild requested assistance from the
12 Department because Easy BB refused to refund her bond collateral, in the amount of
13 \$5,000, after the Court exonerated the bond for her son, Gery Fairchild ("Fairchild").

14 5. On or about October 5, 2008, Ms. Fairchild contacted Easy BB in Phoenix,
15 Arizona, and paid \$5,400 via her credit card (\$5,000 collateral plus a \$400 service fee).

16 6. On or about October 6, 2008, Easy BB posted the \$5,000 bail bond for
17 Fairchild (the "Fairchild bond").

18 7. On March 30, 2009, the Superior Court in Apache County, Arizona
19 authorized the exoneration of the Fairchild bond.

20 8. Easy BB failed to return the collateral to Ms. Fairchild.

21 Miles Bond

22 9. In or around May 2009, Charles E. Miles ("Mr. Miles") contacted the
23 Department regarding Easy BB's failure to refund of his cash collateral.

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¹ Scott Alan Ennis was the Member/Manager of Easy BB from June 13, 2007 until
September 22, 2009.

1 Accredited Bond Agencies, Inc., returned Melvin's collateral by issuing her a check in the
2 amount of \$5,000.

3 **Winters Bond**

4 19. On or about June 24, 2011, James Barnard requested assistance from the
5 Department because Easy BB refused to refund his mother, Marjorie Barnard ("Barnard"),
6 her bond collateral in the amount of \$5,000, after the Court exonerated the bond for Jake
7 Winters ("Winters").

8 20. On or about September 2, 2010, Easy BB posted a \$36,000 bond for
9 Winters. Lynn Winters paid Easy BB \$3,600 for the bond premium and fees. On or about
10 September 1, 2010, Barnard paid \$5,000 to Easy BB by PayPal; however due to
11 processing difficulties, the \$5,000 payment did not clear through PayPal until on or about
12 October 11, 2010.

13 21. On May 9, 2011, the Superior Court in Maricopa County, Arizona ordered
14 the exoneration of any bonds posted for Winters.

15 22. On or about September 21, 2011, over four months after exoneration of the
16 Bond, and with the assistance of the Department, Easy BB's surety company, Accredited
17 Bond Agencies, Inc., returned Barnard's collateral by issuing her a check in the amount of
18 \$5,000.

19 **CONCLUSIONS OF LAW**

20 23. Respondents' conduct, as described above, constitutes the violation of any
21 provision of A.R.S. Title 20 or any rule, subpoena or order of the Director within the
22 meaning of A.R.S. § 20-295(A)(2), as applied to bail bond agents under A.R.S. § 20-
23 340.06.

24 24. Respondents' conduct, as described above, constitutes failure to notify the
25 Director in writing within thirty days of any changes in the licensee's members, directors,
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1 officers, or designated producer, in violation of A.R.S. § 20-286(C)(2), as applied to bail
2 bond agents under A.R.S. § 20-340.06.

3 25. Respondents' conduct, as described above, constitutes improperly
4 withholding any monies received in the course of doing insurance business, in violation of
5 A.R.S. § 20-295(A)(4), as applied to bail bond agents under A.R.S. § 20-340.06.

6 26. Respondents' conduct, as described above, constitutes incompetence or
7 untrustworthiness in the conduct of business in this state or elsewhere, in violation of
8 A.R.S. § 20-295(A)(8), as applied to bail bond agents under A.R.S. § 20-340.06.

9 27. Respondents' conduct, as described above, constitutes the violation of the
10 provision that any collateral received shall be returned to the person who deposited it with
11 the bail bond agent or any assignee as soon as the obligation, the satisfaction of which
12 was secured by the collateral, is discharged, within the meaning of A.A.C. R20-6-
13 601(E)(4)(b).

14 28. Grounds exist for the Director to suspend, revoke, or refuse to renew
15 Respondents' insurance licenses, impose a civil penalty and/or order restitution pursuant
16 to A.R.S. §§ 20-295(A), (B), and (F), as applied to bail bond agents under A.R.S. § 20-
17 340.06.

18 29. On the written request of a person who is licensed, the Director may accept
19 the voluntary surrender of the person's entire license. A person who surrenders a license
20 shall not reapply for the same license for at least one year after the date of surrender,
21 pursuant to A.R.S. § 20-289(F), as applied to bail bond agents under A.R.S. § 20-340.06.

22 ORDER

23 IT IS HEREBY ORDERED THAT:

24 1. Respondent Joseph Henry Gagnon, Jr.'s license, Arizona license number
25 947520 is suspended for a period of six (6) months effective immediately upon entry of
26 this Consent Order.


1 2. Respondent Easy Bail Bonds, LLC's resident bail bond license, Arizona
2 license number, 905938, is revoked immediately upon entry of this Consent Order.

3 3. Respondents shall jointly and severally pay restitution within twenty (20)
4 days of the filing date of this Order, which shall be delivered to the Arizona Department of
5 Insurance in the form of two separate cashier's checks made payable to each of the
6 following people in the following amounts: Leila Fairchild in the amount of five thousand
7 dollars (\$5,000) and Charles E. Miles, Jr. in the amount of two thousand one hundred
8 dollars (\$2,100).

9 4. Respondents shall ensure that all outstanding obligations of Easy Bail
10 Bonds, LLC, shall be paid immediately.

11 5. Respondent Joseph Henry Gagnon, Jr. is dismissed as a party in the
12 above-captioned case as soon as all of the above conditions are met to the Department's
13 satisfaction.

14 DATED AND EFFECTIVE this 11th day of January, 2012.

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18 CHRISTINA URIAS
19 Director of Insurance

20 **CONSENT TO ORDER**

21 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of
22 Law and Order.

23 2. Respondents admit the jurisdiction of the Director of Insurance, State of
24 Arizona, and admit the foregoing Findings of Fact and consent to the entry of the
25 foregoing Conclusions of Law and Order.

26 3. Respondents are aware of their right to notice and a hearing at which they

1 may be represented by counsel, present evidence and examine witnesses. Respondents
2 irrevocably waive their right to such notice and hearing and to any court appeals relating
3 to this Consent Order.

4 4. Respondents state that no promise of any kind or nature whatsoever,
5 except as expressly contained in this Consent Order, was made to them to induce them
6 to enter into this Consent Order and that they have entered into this Consent Order
7 voluntarily.

8 5. Respondents acknowledge that the acceptance of this Consent Order by
9 the Director is solely to settle this matter against them and does not preclude any other
10 agency, officer, or subdivision of this state including the Department from instituting civil
11 or criminal proceedings as may be appropriate now or in the future.

12 6. Respondents acknowledge that this Consent Order is an administrative
13 action that the Department will report to the National Association of Insurance
14 Commissioners (NAIC). Respondents further acknowledge that they must report this
15 administrative action to any and all states in which they hold an insurance license and
16 must disclose this administrative action on any license application.

17 7. Joseph Henry Gagnon, Jr. represents that he is the Member/Manager and
18 Designated Responsible Licensed Producer of Easy Bail Bonds, LLC, and, as such is
19 authorized to enter this Consent Order on its behalf.

20 DATED this 5th day of January, 2012, ~~2011~~.

21
22 By 

23 (Joseph Henry Gagnon, Jr. (Arizona License #
24 947520) Member/Manager and Designated
25 Responsible Licensed Producer, Individually and
26 on behalf of Easy Bail Bonds, LLC (Arizona
License # 905938)

1 COPIES of the foregoing mailed/delivered
2 this 13th day of January, 2012 to:

3 Lewis Kowal, Administrative Law Judge
4 Office of Administrative Hearings
5 1400 West Washington, Suite 101
6 Phoenix, Arizona 85007

7 Tamra Facciola, Esq.
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12 Attorney for Respondents Joseph Gagnon
13 and Easy Bail Bonds, LLC

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19 Mary Kosinski, Executive Assistant for Regulatory Affairs
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