STATE OF ARIZONA FILED

APR 24 2012

1

2

3

4 5

6 7

8 9

10

11

12 13

15 16

14

17

18

19 20

21 22

23

25

26

24

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).

Respondents.

No. 11A-015-INS

CONSENT ORDER WTH ALBERT JOSEPH CAMPOFIORE

The State of Arizona Department of Insurance ("Department") has received evidence that Albert Joseph Campofiore ("Campofiore") violated provisions of Title 20, Campofiore wishes to resolve this matter without the Arizona Revised Statutes. commencement of formal proceedings, admits the following Findings of Fact are true, and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- 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.
- Easy BB's address of record is: 3012-3014 N. 16th Street, Phoenix, Arizona 2. 85016 (business and mailing).
- Campofiore is licensed as an Arizona non-resident bail bond agent, Arizona 3. license number 946698, which expires on April 30, 2013. According to the Arizona Corporation Commission's records, Campofiore has been a Member of Easy BB since

September 22, 2009. Campofiore did not notify the Department that he was a Member of Easy BB until November 1, 2011.

4. Campofiore's addresses of record are 3014 N. 16th Street, Phoenix, Arizona 85016 (business) and 205 Old Hawleyville Road, Bethel, Connecticut 06801 (mailing).

Withdrawals From Collateral Account

- 5. Respondents set up a "collateral account" at Bank of America to hold money received as collateral for Easy BB's bail bond transactions.
- 6. Easy BB's collateral account bank records indicate that, from October of 2010 until February of 2011, Campofiore took several cash ATM withdrawals. During that time, he withdrew a total of \$3,060 in cash from the collateral accounts. These ATM cash withdrawals include: two cash withdrawals in a total amount of \$960 at Fashion Square in Orlando, Florida; a cash withdrawal in the amount of \$60 at LAX Terminal 3 in Los Angeles, California; and a cash withdrawal in the amount of \$480 in East Danbury, Connecticut. Campofiore represents that all amounts were either returned to the collateral account or used by Campofiore to refund collateral due from Easy BB.

Calvin Bond

- 7. On or about June 10, 2011, Monica Melvin ("Melvin") requested assistance from the Department because Easy BB refused to refund her collateral after the Court exonerated bonds for Michael Calvin ("Calvin").
- 8. On or about June 12, 2010, Melvin hired Easy BB to post four bonds for Calvin totaling \$5,400. She paid Easy BB \$540 for the bond premium and \$2,800 for the bond collateral. Melvin agreed to a payment schedule of \$350 per month to pay the remaining collateral for the bail bonds.
- 9. On or about June 29, 2010, Melvin posted four additional bonds for Calvin totaling \$3,625. She paid Easy BB \$360 for the bond premium. Easy BB required Melvin to adjust the previous payment schedule and make payments each month until she paid the total remaining amount of collateral for all the outstanding bail bonds.

- 10. Melvin made additional payments to Easy BB and paid a total of \$5,000 as collateral on the Calvin bonds.
- 11. On February 10, 2011, the Superior Court in Maricopa County, Arizona ordered the exoneration of any bonds posted in all of Calvin's cases.
- 12. On or about September 23, 2011, over seven months after exoneration of the bonds, the surety company for Easy BB issued a check to Melvin in the amount of \$5,000. It is Campofiore's position that he had Easy BB's surety company issue a check within ten (10) days after being notified by the Department that this money needed to be returned to Melvin.

Winters Bond

- 13. On or about June 24, 2011, James Barnard requested assistance from the Department because Easy BB refused to refund his mother, Marjorie Barnard ("Barnard"), her bond collateral in the amount of \$5,000, after the Court exonerated the bond for Jake Winters ("Winters").
- 14. On or about September 2, 2010, Easy BB posted a \$36,000 bond for Winters. Lynn Winters paid Easy BB \$3,600 for the bond premium and fees. On or about September 1, 2010, Barnard paid \$5,000 to Easy BB by PayPal; however, due to processing difficulties, the \$5,000 payment did not clear through PayPal until on or about October 11, 2010.
- 15. On May 9, 2011, the Superior Court in Maricopa County, Arizona ordered the exoneration of any bonds posted for Winters.
- 16. On or about September 21, 2011, over four months after exoneration of the bond, the surety company for Easy BB issued a check to Barnard for \$5,000. It is Campofiore's position that he had Easy BB's surety company issue a check within ten (10) days after being notified by the Department that this money needed to be returned to Barnard.

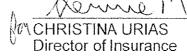
CONCLUSIONS OF LAW

- 17. Campofiore's conduct, as described above, constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the Director within the meaning of A.R.S. § 20-295(A)(2), as applied to bail bond agents under A.R.S. § 20-340.06.
- 18. Campofiore's conduct, as described above, constitutes failure to notify the Director in writing within thirty days of any changes in the licensee's members, directors, officers, or designated producer, in violation of A.R.S. § 20-286(C)(2), as applied to bail bond agents under A.R.S. § 20-340.06.
- 19. It is the Department's position that Campofiore's conduct, as described above, constitutes failure to hold collateral received in a fiduciary capacity and failure to keep such collateral separate and apart from any other funds, assets or property of such bail bond agent, in violation of A.A.C. R20-6-601(E)(4)(a).
- 20. It is the Department's position that Campofiore's conduct, as described above, constitutes a violation of the provision that any collateral received shall be returned to the person who deposited it with the bail bond agent or any assignee as soon as the obligation, the satisfaction of which was secured by the collateral, is discharged, within the meaning of A.A.C. R20-6-601(E)(4)(b).
- 21. Grounds exist for the Director to suspend, revoke, or refuse to renew Campofiore's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§ 20-295(A), (B), and (F), as applied to bail bond agents under A.R.S. § 20-340.06
- 22. On the written request of a person who is licensed, the Director may accept the voluntary surrender of the person's entire license. A person who surrenders a license shall not reapply for the same license for at least one year after the date of surrender, pursuant to A.R.S. § 20-289(F), as applied to bail bond agents under A.R.S. § 20-340.06.

ORDER

IT IS HEREBY ORDERED THAT:

- 1. In lieu of an administrative hearing, Campofiore may voluntarily surrender his non-resident bail bond agent license, Arizona license number 946698.
- 2. Campofiore shall pay a civil penalty in the amount of two thousand five hundred dollars (\$2,500.00) due and payable upon return of this Consent Order.
- 3. Campofiore shall ensure that all obligations of Easy Bail Bonds, LLC, which are outstanding as of the date of this Consent Order, shall be paid immediately.



CONSENT TO ORDER

- Campofiore has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- 2. Campofiore 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. Campofiore is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and examine witnesses. Campofiore irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.

- 4. Campofiore states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
- 5. Campofiore acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him 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. Campofiore acknowledges that this Consent Order is an administrative action that the Department will report to the National Association of Insurance Commissioners (NAIC). Campofiore further acknowledges that he must report this administrative action to any and all states in which he holds an insurance license and must disclose this administrative action on any license application, if required.

DATED this 19th day of April , 201	12.
------------------------------------	-----

Albert Joseph Campofiore (Arizona License # 946698)

COPIES of the foregoing mailed/delivered this 24th day of __April__, 2012, to:

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

J. Michael Low Low & Cohen, PLLC 2999 North 44th Street Suite 550 Phoenix, Arizona 85018 Attorneys for Respondent Albert Campofiore

1 2 3	Clifford M. Sherr 8835 North 47 th Place Phoenix, Arizona 85028-6133 Attorney for Respondent Albert Campofiore
4	Mary Kosinski, Executive Assistant for Regulatory Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer
5	Steve Fromholtz, Licensing Supervisor
6	Charles Gregory, Investigations Supervisor Daniel Ray, Investigator
7	Department of Insurance 2910 North 44 th Street, Suite 210
8	Phoenix, Arizona 85018
9	Alyse C. Meislik
10	Assistant Attorney General 1275 West Washington Street
11	Phoenix, Arizona 85007-2926 Attorney for the Arizona Department of Insurance
12	
13(invey Surlon
14	Curvey Walters Buiton #2658159
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
ł	