

JUN 09 2011

State of Arizona

DEPARTMENT OF INSURANCE

DEPT OF INSURANCE
BY ML

In the Matter of:

ALL OUT BAIL BONDS, LLC
(Arizona License # 965872)
and RICHIER, JOSHUA ADAM,
(Arizona License # 854536)
(National Producer # 7714484)

No. 11A-054-INS

CONSENT ORDER

Respondents.

The State of Arizona Department of Insurance ("Department") has received evidence that **All Out Bail Bonds, LLC and Joshua Adam Richier** have violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondents wish to resolve this matter without the commencement of formal proceedings, and admit the following Findings of Fact are true and consent to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. All Out Bail Bonds, LLC ("All Out" or "Respondent") is, and was at all times material, licensed with the Department as an Arizona resident bail bond agent, Arizona license number 965872, which expires on May 31, 2014.

2. Respondent's address of record is: 139 W. Mohave Street, Phoenix, Arizona 85003 (business and mailing).

3. Joshua Adam Richier ("Richier") is, and was at all times material, licensed with the Department as a resident bail bond agent, Arizona license number 854536, which expires

1 on May 31, 2013. Richier is the Owner and Designated Responsible Licensed Producer for
2 All Out.

3 4. Richier's addresses of record with the Department are: 139 W. Mohave St.,
4 Phoenix, Arizona 85003 (business); c/o All Out Bail Bonds, LLC, 139 W. Mohave St.,
5 Phoenix, Arizona 85003 (mailing); and 1121 N. 44th St., #1016, Phoenix, Arizona 85008
6 (residence).

7 Hardison Complaint

8 5. On November 2, 2010, Linda Hardison ("Hardison") filed a complaint with the
9 Department against All Out. On June 16, 2010, Hardison arranged with All Out to post a
10 \$2,700 bond for her grandson, Ben David ("David bond"). Hardison securitized the David
11 bond with a \$2,700 charge to her Visa credit card. The court exonerated the David bond.
12 After repeated attempts Hardison was unable to contact anyone from All Out for return of her
13 collateral.

14 Hall Complaint

15 6. On December 27, 2010, Carol Hall ("Hall") filed a complaint with the Department
16 against All Out. On May 25, 2010, Hall arranged with All Out to post three bonds totaling
17 \$7,200 for her daughter, Shannon Lang ("Lang bonds"). The Lang bonds were securitized
18 with cash. On August 24, 2010, the court exonerated all the Lang bonds. Although Hall has
19 been partially reimbursed, All Out still owes Hall \$5,400.

20 Acosta Complaint

21 7. On March 22, 2011, John and Laurel Acosta (the "Acostas") filed a complaint
22 with the Department against All Out. On June 7, 2007, the Acostas arranged with All Out to
23 post a bond for Ronald Frye ("Frye bond"). The Acostas securitized the bond with cash and 2

1 vehicles. On April 16, 2009, the court exonerated the Frye bond. After repeated attempts,
2 the Acosta's were unable to contact Richier to have the liens against the vehicles removed.

3 **Harris Complaint**

4 8. On March 15, 2011, John Jackson ("Jackson") filed a complaint with the
5 Department against All Out. On July 31, 2009, Adante Harris arranged with All Out to post a
6 \$3,600 bond for Jackson ("Jackson bond"). On February 17, 2011, the court exonerated the
7 Jackson bond. After repeated attempts Jackson was unable to contact anyone from All Out
8 for return of his collateral.

9 **CONCLUSIONS OF LAW**

10 1. The Director has jurisdiction over this matter.

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

15 3. Respondents' conduct, as alleged above, constitutes a violation of any rule,
16 within the meaning of A.R.S. § 20-295(A)(2) as applied to bail bond agents under A.R.S. § 20-
17 340.06.

18 4. Grounds exist for the Director to suspend, revoke, or refuse to renew
19 Respondents' insurance licenses, pursuant to A.R.S. § 20-295(A) and (B) as applied to bail
20 bond agents under A.R.S. § 20-340.06.

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1 **ORDER**

2 IT IS HEREBY ORDERED THAT:

3 1. All Out and Richier shall immediately return any outstanding collateral in
4 response to the Acosta, Hardison, Hall and Harris complaints, less any reasonable fees.

5 2. All Out and Richier shall not write any new bail bonds and may retain their
6 licenses for the sole purpose of servicing existing bonds of All Out. All Out may, at its
7 discretion, transfer any existing bonds to a licensed bail bond agent approved by the
8 Department.

9 3. Every thirty (30) days, beginning with the month after this Consent Order is filed,
10 Richier shall report to the Department on his progress closing out any existing bonds of All
11 Out.

12 4. Once all of All Out's existing bonds are serviced, Richier and All Out shall
13 surrender their licenses.

14 DATED AND EFFECTIVE this 7th day of June, 2011.

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16 _____
17 CHRISTINA URIAS
18 Director of Insurance

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19 ...
20 **CONSENT TO ORDER**

21 1. Respondents have reviewed the foregoing Findings of Fact, Conclusions of Law
22 and Order.
23

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

4 3. Respondents are aware of their right to notice and hearing at which they may be
5 represented by counsel, present evidence and examine witnesses. Respondents irrevocably
6 waive their right to such notice and hearing and to any court appeals relating to this Consent
7 Order.

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

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

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

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1 7. Joshua Adam Richier represents that he is the Owner and Designated
2 Responsible Licensed Producer for All Out Bail Bonds, LLC and, as such, is authorized to
3 enter this Consent Order on its behalf.

4 All Out Bail Bonds, LLC (AZ License # 965872)

5
6 6/7/2011
Date


Joshua Adam Richier, Owner and
Designated Responsible
Licensed Producer

7
8
9 6/7/2011
Date


Joshua Adam Richier, (AZ License # 854536)

11 COPIES of the foregoing mailed/delivered
12 this 9th day of June, 2011, to:

13 All Out Bail Bonds, LLC
139 W. Mohave St.
Phoenix, Arizona 85003
14 Respondent

15 Joshua Adam Richier
c/o All Out Bail Bonds, LLC
139 W. Mohave St.
Phoenix, Arizona 85003
17 Respondent

18 Joshua Adam Richier
1121 N. 44th Street, #1016
Phoenix, Arizona 85008
19 Respondent

20
21 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
Mary Butterfield, Assistant Director
Catherine M. O'Neil, Consumer Legal Affairs Officer
22 Steve Fromholtz, Licensing Supervisor
Charles Gregory, Investigations Supervisor
23 Dan Ray, Investigator

1 Department of Insurance
2 2910 North 44th Street, Suite 210
3 Phoenix, Arizona 85018

4 
5 Maidene Schneider