

1 2010. Saenz is the Owner/Member of Aguilas. Aguilas is not a corporation in good standing
2 with the Arizona Corporation Commission ("ACC").

3 4. Aguilas address of record with the Department is: 2850 W. Camelback Rd.,
4 Suite 120, Phoenix, Arizona 85017 (business and mailing). On February 10, 2011, Saenz
5 filed an amendment with the ACC requesting a change of address and statutory agent to:

6 Aguilas Bail Bonds, LLC
7 2942 N. 24th Street, Suite 114
8 Phoenix, Arizona 85016

9 Statutory Agent Maria Saenz
10 2942 N. 24th Street, Suite 114
11 Phoenix, Arizona 85018

12 Flores Complaint

13 5. On November 2, 2010, Steven Flores ("Flores") filed a complaint with the
14 Department against Aguilas.

15 6. On or about November 19, 2009, Flores arranged with Aguilas to post a \$5,000
16 bond for Bradley James Hill ("Hill bond"). Flores securitized the Hill bond with a 65" Toshiba
17 Big Screen TV, the title to a 1993 GMC Jimmy and a 1984 Pontiac GTA.

18 7. On September 24, 2010, the court exonerated the Hill bond.

19 8. After repeated attempts, Flores was unable to contact anyone from Aguilas for
20 return of his collateral.

21 Jimenez Complaint

22 9. On November 15, 2010, Cynthia Jimenez ("Jimenez") filed a complaint with the
23 Department against Aguilas.

10. On or about December 24, 2009, Jimenez arranged with Aguilas to post a
\$3,600 bond for Martin Jimenez ("Jimenez bond"). Jimenez securitized the Jimenez bond
with a 42" HD Flat Screen TV, two 5' black stereo speakers and one amplifier.

1 11. On September 8, 2010, the court exonerated the Jimenez bond.

2 12. After repeated attempts, Jimenez was unable to contact anyone from Aguilas
3 for return of her collateral.

4 **Ovalle Complaint**

5 13. On April 7, 2011, Manuel Ovalle ("Ovalle") filed a complaint with the Department
6 against Aguilas.

7 14. On or about October 1, 2009, Ovalle arranged with Aguilas to post a \$1,200
8 bond for his own release from jail ("Ovalle bond"). Ovalle securitized the bond with cash.

9 15. On September 23, 2010, the court exonerated the Ovalle bond.

10 16. After repeated attempts, Ovalle was unable to contact anyone from Aguilas for
11 return of his collateral.

12 **Riddell Complaint**

13 17. On June 14, 2010, Deborah Riddell ("Riddell") filed a complaint with the
14 Department against Aguilas.

15 18. On or about September 30, 2009, Riddell arranged with Aguilas to post \$15,000
16 cash bail for Michael Seig.

17 19. On April 20, 2010, the court released the \$15,000 deposit to Aguilas.

18 20. After repeated attempts, Riddell was unable to contact anyone from Aguilas for
19 return of her collateral.

20 **Failure to Respond to Subpoena**

21 21. On June 17, 2010, the Department sent a subpoena to Saenz and Aguilas at
22 their addresses of record.

23 22. The subpoena commanded Saenz to appear before the Department for an
examination under oath on June 28, 2010.

1 23. Saenz failed to appear at the Department on June 28, 2010 and has not
2 appeared to date in response to the Department's subpoena.

3 24. Repeated attempts to contact Saenz at both her business and residence
4 addresses and phone numbers of record have gone unanswered.

5 25. The public health, safety and welfare imperatively require emergency action.

6 **CONCLUSIONS OF LAW**

7 1. The Director has jurisdiction over this matter.

8 2. Respondents' conduct, as alleged above, constitutes violating any provision of
9 Title 20 or any rule, subpoena or order of the Director, within the meaning of A.R.S. §20-
10 295(A)(2) as applied to bail bond agents under A.R.S. § 20-340.06.

11 3. Respondents' conduct as described above constitutes the improper withholding,
12 misappropriation or conversion of any monies or properties received in the course of doing
13 insurance business within the meaning of A.R.S. §20-295(A)(4) as applied to bail bond agents
14 under A.R.S. § 20-340.06.

15 4. Respondent's conduct as described above constitutes using fraudulent, coercive
16 or dishonest practices, or demonstrating incompetence, untrustworthiness or financial
17 irresponsibility in the conduct of business in this state or elsewhere within the meaning of
18 A.R.S. §20-295(A)(8) as applied to bail bond agents under A.R.S. § 20-340.06.

19 5. Respondents' conduct, as alleged above, constitutes failure to return any
20 collateral received to the person who deposited it with the bail bond agent or any assignee as
21 soon as the obligation, the satisfaction of which is secured by the collateral, is discharged.
22 Where such collateral has been deposited to secure the obligation of a bond, it shall be
23 returned immediately upon the entry of any order by an authorized official by virtue of which
liability under the bond is terminated, within the meaning of A.A.C. R20-6-601(E)(4)(b).

1 Upon receipt of a timely written request for hearing, the Director will issue an order
2 setting the time and place of the hearing.

3 COPIES of the foregoing mailed/delivered
4 this 13th day of July 2011, to:

5 Maria Agueda Saenz
6 c/o Aguilas Bail Bonds, LLC
7 2942 N. 24th Street, Suite 114
8 Phoenix, Arizona 85016
9 Respondent
10 Statutory Agent for Aguilas Bail Bonds

11 Aguilas Bail Bonds, LLC
12 2850 W. Camelback Rd., Suite 120
13 Phoenix, Arizona 85017
14 Respondent

15 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
16 Catherine M. O'Neil, Consumer Legal Affairs Officer
17 Charles Gregory, Investigations Supervisor
18 Dan Ray, Investigator
19 Department of Insurance
20 2910 North 44th Street, Suite 210
21 Phoenix, Arizona 85018

22 Office of the Attorney General
23 Consumer Protection and Advocacy Section
Agency Unit
1275 W. Washington
Phoenix, Arizona 85007-2997

18 
19 Maidene Scheiner