



2. Wilson through his company, Surety Partners, LLP, issued a surety bond to a general contractor, Montana Builders, LLC (Montana Builders).

3. On or about June 13, 2011, the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), received a complaint from Schine, Inc. d/b/a Bear Paw Technologies (Bear Paw) regarding Montana Builders' failure to pay it for work performed on the project for which the surety bond was issued.

4. The CSI investigated the Bear Paw complaint and discovered Montana Builders had attempted to make a claim against the surety bond. Montana Builders was told the bond had lapsed and no money was available to pay the overruns. The CSI also discovered a number of other Montana businesses had not been paid for work done on the project insured by Wilson's surety bond.

5. When contacted, Wilson had no plausible explanation for where the money went or why the surety bond was allowed to "lapse" well before the project end-date. Wilson indicated he had no money to pay on the claim against the bond he issued. Wilson also admitted he was not licensed in Montana in any capacity.

#### **CONCLUSIONS OF LAW**

1. The Commissioner has jurisdiction over this matter by reason of the Respondent's licensure pursuant to Mont. Code Ann. § 33-17-101, et seq.

2. Pursuant to Mont. Code Ann. § 33-1-1202(4), a person commits the act of insurance fraud when the person accepts premium money knowing that coverage will not be provided.

3. Pursuant to Mont. Code Ann. § 33-1-1211, the Commissioner may require a person who committed insurance fraud to make restitution to the insurer or any other person for all financial loss sustained as a result of said fraud.

4. Respondent violated Mont. Code Ann. § 33-1-1202(4) when he collected premium for the surety bond he issued to Montana Builders policies knowing no coverage would be provided.

### **ORDER**

Pursuant to Mont. Code Ann. § 33-1-318, it appears to the Commissioner that the above named Respondent committed acts constituting violations of the Insurance Code, and, therefore, hereby orders Respondent to cease and desist any actions or activity wherein Respondent acts in violation of the Insurance Code.

### **NOTICE**

Respondent is notified that the Commissioner has issued this order temporarily ordering him to cease and desist violating the Insurance Code. If Respondent wishes to contest the allegations herein, it shall make a written request for a hearing to Jesse Laslovich of this office within 15 days of receipt of this order. The hearing shall then be held within 20 days of the Commissioner's receipt of the hearing request unless otherwise agreed by the parties. If no hearing is requested within 15 days of receipt of this order by Respondent, and the Commissioner orders none, this cease and desist order shall become permanent.

Should Respondent request a hearing, he has the right to be accompanied, represented and advised by counsel. If the counsel Respondent chooses has not been admitted to the practice of law in the State of Montana, he or she must comply with the requirements of *Application of American Smelting and Refining Co.*, 164 Mont. 139, 520 P.2d 103 (1973), and *Montana*

*Supreme Court Comm'n on the Unauthorized Practice of Law v. O'Neil*, 2006 MT 284, 334  
Mont. 311, 147 P.3d 200.

DATED this 5<sup>th</sup> day of January, 2012.

MONICA J. LINDEEN  
Commissioner of Securities and Insurance

  
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BY: ROBERT W. MOON  
Deputy Insurance Commissioner

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served on the 6<sup>th</sup> day of  
January, 2012, by US mail, certified first-class postage paid, to the following:

Ron Wilson  
Surety Partners LLP  
3555 Eagle Rock Drive  
Atlanta, GA 30340

  
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