

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **Julie Ann Carasone.** ) **STIPULATION** and  
 ) **FINAL ORDER**  
 ) Case No. INS 03-02-009

**STIPULATION**

The Director of the Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Julie Ann Carasone (Carasone).

Carasone enters into this Stipulation, pursuant to ORS 183.415(5), to conclude this proceeding without further administrative or judicial proceedings.

Carasone waives the right to receive a Notice of Proposed Action, to receive a notice of the rights of a party and procedures in contested cases, to have a hearing, to be represented by an attorney at the hearing, and to judicial review of the Final Order.

Carasone admits and agrees to the following facts, conclusions, and action.

**Facts and Conclusions**

Licensing

Carasone has been licensed in Oregon as a nonresident insurance agent since 11/3/00. Carasone's current license number is 163571. Carasone's last recorded residence address is in Colonial Beach, Virginia.

Conviction of Misdemeanors Involving Moral Turpitude

Carasone is subject to enforcement action pursuant to ORS 744.013(2)(e) (1999) in two instances because of the following circumstances. On 7/21/00, Carasone was convicted, based on a plea of guilty, by the Stafford County [Virginia] General District Court, in case number COO-1512, of one count of the crime of larceny by check, pursuant to Virginia Code §18.2-181; and in case number COO-1513, of another count of the crime of larceny by check pursuant to Virginia Code §18.2-181. Carasone committed these crimes by on 8/16/98 issuing a check in the amount of

\$28.50 to the “Formosa Restaurant,” and on 8/28/98 issuing another check in the amount of \$10 to the “Asia Café,” knowing at each time that there were insufficient funds in the bank account to pay the check. The crime of larceny by check, if committed in Oregon, would be either the crime of theft by deception, a misdemeanor, pursuant to ORS 164.055 and 164.085; or the crime of negotiating a bad check, also a misdemeanor, pursuant to ORS 164.055. The crimes of theft by deception and of negotiating a bad check are misdemeanors involving moral turpitude because they each require the elements of (1) intent or knowledge, (2) dishonesty, and (3) involves harm to a specific person. *See In re Chase*, 299 Or 391, 402, 702 P2d 1082 (1985)(a crime involving moral turpitude requires the elements of intent; fraud, deceit or dishonesty; and harm to a specific person); *In re Carstens*, 297 Or 155, 163 (1984)(theft is a misdemeanor involving moral turpitude).

#### Making False Statements on Oregon Insurance Agent License Application

Carasone violated ORS 744.013(2)(b) (1999) in three instance by engaging in the following conduct. On 10/25/00, the Insurance Division received from Carasone an application dated 10/12/00 for an Oregon nonresident insurance agent license. On the application, Carasone answered “No” to question 16 which asked “Are you currently under indictment for, or have you been convicted of, any misdemeanor or felony?” Carasone’s answer was false and she knew that it was false because she had been convicted of not only the above described crimes of larceny by check, but also of the following crime of obstruction of justice. On 7/21/00, Carasone was convicted, based on a plea of guilty, by the Stafford County [Virginia] General District Court, in case number COO-1511, of one count of obstruction of justice, pursuant to Virginia Code §18.2-460. Carasone committed the crime of obstructing justice by on or about 6/7/00 struggling with a police officer.

#### Enforcement Action by Another State Insurance Regulator

Carasone is subject to enforcement action pursuant to ORS 744.013(2)(L) (1999) in one instance because of the following circumstances. On 3/2/01, the Insurance Commissioner of the State of Washington issued an order, number D 01-14, revoking Carasone’s Washington nonresident insurance agent license effective

on 3/22/01 if Carasone did not request a hearing within 90 days which would have been by 5/31/01. Carasone did not request a hearing.. The Insurance Commissioner took the action because (1) Carasone failed to respond to three letters sent by the Insurance Commission to Carasone, and (2) Carasone falsely stated on her Washington nonresident insurance agent license application dated 6/26/00 that she had not been indicted of any crimes when she had been arrested on 6/16/00 and appeared at a hearing on 6/21/00 relative to all three crimes described above.

**Action**

Pursuant to ORS 744.013(1) (1999), the license as an insurance agent issued to Carasone shall be revoked on the date of this Final Order.

Dated March 4, 2003

/s/ Julie Ann Carasone  
Julie Ann Carasone

**FINAL ORDER**

The director adopts, and incorporates herein by this reference, the above Stipulation as the director's final decision in this proceeding.

Dated March 17, 2003

/s/ Cory Streisinger  
Cory Streisinger  
Director  
Department of Consumer and Business Services

//  
//  
//