

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA

COMMISSIONER OF INSURANCE

CAUSE NUMBER: 13312-AG15-0629-181

Martin Wayne Troiola,)
Agent / Respondent)
)
2402 Basin Street)
South Bend, Indiana 46614)
)
Type of Agency Action: Enforcement)
)
)
License No.: 1459230)

FILED
JUL 17 2015
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

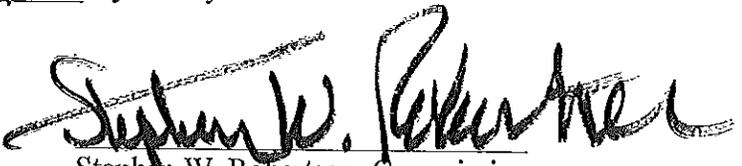
The Indiana Department of Insurance (“Department”) and Martin Wayne Troiola, (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s license, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED, by the Commissioner of Insurance:

1. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500.00), for the use of dishonest practices and/or demonstrating incompetence in the conduct of business in Indiana, payable by cashier's check or money order to the Indiana Department of Insurance within ninety (90) days from the date of the Commissioner's Final Order is filed.

ALL OF WHICH IS ORDERED this 17th day of July 2015.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Joshua D. Harrison
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Martin Wayne Troiola
2402 Basin Street
South Bend, Indiana 46614

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DEPT. OF INSURANCE

Indiana Insurance License No.: 1459230

AGREED ENTRY

This Agreed Entry is entered into by Joshua D. Harrison, attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Martin Wayne Troiola ("Respondent"), a licensed Indiana resident insurance producer holding license number 1459230, to resolve all matters under Cause Number 13312-AG15-0629-181. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a licensed resident insurance producer in the State of Indiana;

WHEREAS, on or about August 28, 2014, the Department received a complaint from Tyler Steele ("Steele"), who stated that his company had provided Respondent with insurance applications for all of his employees so that Respondent could give him a quote. These applications contained personal information for Steele and his employees;

WHEREAS, utilizing the personal information contained in the insurance applications without Steele's approval, Respondent changed Steele's password on Formfire, a program that is utilized by insurance carriers;

WHEREAS, on or about September 11, 2014, Respondent admitted that he called Formfire in order to update the applicant's information and to reset the password to expedite the quoting process. Respondent was not authorized to change the password. Respondent also stated that he should have stopped immediately when he saw that Mr. Steele was already registered, but did not; and

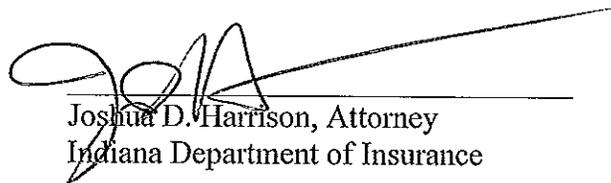
WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives his right to a public hearing on the issues in this action.
4. Respondent used dishonest practices or demonstrated incompetence in the conduct of business in Indiana or elsewhere.
5. Respondent admits that "this was a mistake" that bothers him daily and one that he is certainly not proud of.
6. Respondent agrees to payment of a civil penalty in the amount of five hundred dollars (\$500.00), payable by cashier's check or money order to the Indiana Department of Insurance within ninety (90) days from the date the Commissioner's Final Order is filed.

7. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
8. Respondent is aware that his failure to comply with any of the terms of this agreement will result in the matter being set for hearing and may result in the permanent revocation of his Indiana insurance producer license and/or additional penalties.
9. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
10. Respondent has carefully read this agreement and fully understands and accepts its terms.

7-16-15
Date Signed


Joshua D. Harrison, Attorney
Indiana Department of Insurance

7-9-15
Date Signed


Martin Wayne Troiola, Respondent