

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7600-AG09-0324-065

Scott A. Brent )  
 )  
Respondent, )  
 )  
1630 Camellia Dr., Apt. B2 )  
Munster, IN 46321 )  
 )  
License #: 2765330 )

FILED

MAY 14 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance (“Department”) and Scott A. Brent (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the above-captioned 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.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Commissioner as follows:

1. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as attached as Exhibit A as resolution of this matter.

2. Respondent will pay an Administrative Fine in the amount of Twenty Five Thousand Dollars (\$25,000.00). The fine is to be paid within six (6) months of the date of this Final Order.
3. Respondent's producer license will be placed on probationary status for a period of two (2) years from the date of this Final Order. All probation requirements are contained in the attached Agreed Entry.
4. Respondent shall pay all remaining monies owed to Allianz Life Insurance Company of North America for returned commissions by making payments to Allianz at the rate of \$500.00 per month until paid in full. Proof of each payment shall be furnished to the Department.

ALL OF WHICH IS ORDERED this 14 day of May, 2009.



James Atterholt, Commissioner  
Indiana Department of Insurance

Distribution:

Nikolas P. Mann  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 300  
Indianapolis, IN 46204-2787

**Taft Stettinius & Hollister LLP**  
Attn: Tony Paganelli  
One Indiana Square, Ste 3500  
Indianapolis, IN 46204

Scott A. Brent  
1630 Camellia Dr., Apt. B2  
Munster, IN 46321

STATE OF INDIANA )  
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IN THE MATTER OF: )  
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MAY 14 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by Nikolas P. Mann, attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Scott A. Brent, a licensed resident insurance producer. This Agreed Entry is subject to the review and approval of the Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondent Scott A. Brent is a resident licensed insurance producer, holding license number 2765330; and

WHEREAS, on or about October 30, 2008, the Department was notified by Allianz Life Insurance Company of North America that the Respondent had been terminated for cause; and

WHEREAS, after extensive investigation by the Department, the parties wish to negotiate a settlement;

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


1. The Commissioner has jurisdiction over the subject matter of, and the parties to, this Agreed Entry.

2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives his right to a public hearing.
4. Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
5. Respondent failed to inform the Commissioner of a change of address not more than thirty (30) days after the change in violation of Indiana Code § 27-1-15.6-7(h).
6. Respondent made misrepresentations on at least three (3) applications regarding the location and state where the policies were sold in violation of Indiana Code § 27-1-15.6-12(b)(8).
7. Respondent attempted to sell at least three (3) policies which had not been approved by the Department for sale in Indiana in violation of Indiana Code § 27-1-15.6-12(b)(8).
8. Respondent provided an Indiana senior written instructions on how to omit information or misrepresent the nature of any surrender penalties to be incurred to fund the sale of the product sold by Respondent to circumvent the protections contained in the Senior Suitability Statute in violation of Indiana Code § 27-1-15.6-12(b)(8).
9. Respondent agrees to pay an Administrative Fine in the sum of Twenty Five Thousand Dollars (\$25,000.00). The fine is to be paid within six (6) months of the date of the Commissioner's Final Order.
10. Respondent's producer license will be placed on probationary status for a period of two (2) years from the date of the Commissioner's Final Order.

11. While Respondent's producer license is on probationary status, Respondent will submit quarterly reports to the Department, the first report being due ninety (90) days from the date of the Commissioner's Final Order, with subsequent reports due ninety (90) days thereafter. The reports shall list all current company appointments and the names and addresses of customers, policy numbers and name of insurer(s) for all policies sold by Respondent.
12. While Respondent's producer license is on probationary status, Respondent shall immediately notify the Department of any change in his residence or business address.
13. While Respondent's producer license is on probationary status, Respondent shall immediately notify the Department of any change to his company appointment list, including terminations of appointments (whether voluntary or involuntary) and additions of appointments.
14. Respondent shall pay all remaining monies owed to Allianz Life Insurance Company of North America for returned commissions by making payments to Allianz at the rate of \$500.00 per month until paid in full. Proof of each payment shall be furnished to the Department and Respondent's obligation to Allianz is specifically incorporated as a term of this Agreed Entry.
15. Respondent is aware that failure to comply with any term of this agreement or any additional violation of the Indiana Insurance Code will result in the matter being set for hearing, at which the Department will seek the permanent revocation of Respondent's license.

- 16. Respondent has carefully read and examined this agreement and fully understands its terms.
- 17. Respondent is represented by counsel, Tony Paganelli of Taft Stettinius & Hollister LLP.

5/12/09  
Date Signed

  
Nikolas P. Mann, Attorney  
Indiana Department of Insurance

5-6-09  
Date Signed

  
Scott A. Brent, Respondent

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Marion )

Before me a Notary Public for Marion County, State of Indiana, personally appeared Scott A. Brent and being first duly sworn by me upon his/her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 12 day of MAY, 2009

  
Signature

F. ANTHONY PAGANELLI

Printed

My Commission expires: MARCH 19, 2017

County of Residence: MAEION