

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO. 8157-AG09-0731-183

IN THE MATTER OF:

Anthony L. Smith,  
Respondent.

1283 W. 90<sup>th</sup> Ave., apt. 302  
Merrillville, IN 46410

**FILED**

SEP 01 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

Type of Agency Action: Enforcement

Indiana Insurance License No. 618601

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance ("Department"), by its counsel, Robert L. Hummel, and Anthony L. Smith, ("Respondent"), a licensed insurance producer, signed an Agreed Entry which purports to resolve all issues involved in an investigation by Department, and which has been submitted to the Commissioner of Insurance ("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, ADJUDGED AND DECREED by the Commissioner of Insurance:

1. Respondent shall pay an administrative fine in the amount of five hundred dollars (\$500.00), payable within sixty (60) days of this Final Order, per the terms of the Agreed Entry.

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STATE OF INDIANA  
DEPT. OF INSURANCE

Type of Agency Action: Enforcement

Indiana Insurance License No. 618601

**AGREED ENTRY**

This Agreed Entry is executed by Robert L. Hummel, attorney for the Indiana Department of Insurance ("Department"), and Anthony L. Smith ("Respondent"), a licensed Indiana insurance producer, to resolve all issues concerning an investigation by the Department. This Agreed Entry is subject to the review and approval of Carol A. Cutter, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed insurance producer in the State of Indiana, license number 618601; and

WHEREAS, On April 3, 2009, the Division sent Respondent a letter to his address of record in Crown Point, Indiana concerning a child support arrearage; and

WHEREAS, the April 3, 2009 letter was returned to the Division by the U.S. Postal Service with a new address in Merrillville, Indiana marked on the envelope; and

WHEREAS, on April 16, 2009, the April 3, 2009 letter was sent again via first class and certified mail to Respondent at the Merrillville address along with a notice that Respondent had not notified the Department of his change of address and imposing a fine

of one hundred dollars (\$100.00) payable within ten (10) business days after receipt by Respondent; and

WHEREAS, the April 16, 2009 certified letter was returned to the Division by the U.S. Postal Service, marked "unclaimed"; and

WHEREAS, the April 16, 2009 letter sent via first class mail was not returned to the Division by the U.S. Postal Service; and

WHEREAS, the Department's producer licensing database shows that Respondent notified the Department of his change of address to Merrillville on June 1, 2009, more than thirty (30) days after the U.S. Postal Service applied the new address to the envelope of the April 3, 2009 letter; and

WHEREAS, a Statement of Charges was filed on August 6, 2009 and a hearing date was set for October 8, 2009; and

WHEREAS, the parties conversed prior to the hearing date for the purpose of negotiating a settlement of the issues that have arisen; 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 the Respondent in this investigation commenced on or about April 3, 2009.
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 investigation.
4. Respondent admits that his failure to notify the Department of his change of address within thirty (30) days was a violation of Indiana law.

5. Respondent agrees to payment of a civil penalty in the amount of five hundred dollars (\$500.00), payable by personal check or money order to the State of Indiana, and due in full within sixty (60) days after the Commissioner of Insurance signs the Final Order.
6. The Department agrees to accept Respondent's compliance with the terms of this agreement as full resolution of the issues in the investigation commenced on or about April 3, 2009.
7. Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
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 insurance license and/or an additional civil penalty.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

8/20/09  
Date Signed

  
Anthony L. Smith, Respondent

8-10-09  
Date Signed

  
Robert L. Hummel, Attorney  
Indiana Department of Insurance

STATE OF INDIANA )  
COUNTY OF Lake ) SS:

Before me, a Notary Public for Lake County, State of  
Indiana, personally appeared Anthony L. Smith and being first duly sworn  
by me upon his oath, says that the facts alleged in the foregoing instrument  
are true.

Signed and sealed this 21st day of August, 2009.

Sacinda Thomas  
Signature

Sacinda Thomas  
Printed

My Commission expires: Sept. 26, 2015

County of Residence: Lake