

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO. 8296-AG09-0903-201

IN THE MATTER OF:)

Timothy D. Barnett)
Respondent)

8336 Weathervane Ct.)
Indianapolis, IN 46239)

License Number: 456576)

FILED


SEP 11 2009

STATE OF INDIANA
DEPT. OF INSURANCE

MOTION TO VACATE SUSPENSION ORDER

The Enforcement Division, by counsel, now moves that the Suspension Order of September 11, 2009, be vacated. In support of this request the Division asserts that the Respondent has properly complied with IC 27-1-15.6-12(g).

Respectfully requested,



Lisa Harpenau,
Attorney No. 27560-55

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ORDER

The Commissioner now being so advised hereby vacates the referenced
Suspension Order effective immediately, this 11th day of Sept, 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Distribution:

Lisa Harpenau, Attorney
Indiana Department of Insurance
311 West Washington St. #300
Indianapolis, IN 46204-2787

Timothy D. Barnett
8336 Weathervane Ct.
Indianapolis, IN 46239

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FINDINGS OF FACT AND SUSPENSION ORDER

WHEREAS, on July 28, 2009, the Commissioner of the Indiana Department of Insurance ("Commissioner") mailed Timothy D. Barnett ("Respondent") certified mail article #7005 3110 0002 4440 3101 requesting a list of appointments and a written response to a complaint received by the Department.

WHEREAS, Respondent received and signed for this request at 12.05 pm on August 17, 2009, and;


WHEREAS, Respondent has failed to provide a list of appointments within ten (10) days as requested by the Commissioner, and;

WHEREAS, the Commissioner has the authority to issue an order suspending Respondent's license without a hearing pending receipt of said list of appointments pursuant to IC 27-1-15.6-12(g), and;

WHEREAS, the Commissioner shall set this matter for hearing upon request of Respondent pursuant to IC 4-21.5-4-4.

IT IS THEREFORE ORDERED BY THE COMMISSIONER that Respondent's license number 456576 is hereby suspended, effective immediately, and will remain suspended until Respondent submits the list of appointments and response requested by the Commissioner.

ALL OF WHICH IS ORDERED the 18th day of Sept., 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Copies to:

Timothy D. Barnett
8336 Weathervane Ct.
Indianapolis, IN 46239

David Cuthbert, Investigator
Indiana Department of Insurance
311 West Washington St. #300
Indianapolis, IN 46204-2787