

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER of INSURANCE

CAUSE NUMBER: 8351-CO09-0825-015

IN THE MATTER OF: )

Smart Data Solutions )  
4676 Highway 41 North )  
Springfield, TN 37172 )

American Trade Association, LLC )  
4676 Highway 41 North )  
Springfield, TN 37172 )

Serve America Assurance )  
Address Unknown )

Type of Action: Enforcement )

**FILED**

AUG 27 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**ORDER GRANTING**  
**EMERGENCY CEASE AND DESIST ORDER**

The Commissioner of the Indiana Department of Insurance ("Commissioner"), having reviewed the Enforcement Division's Motion for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

**FINDINGS OF FACT**

1. The Department of Insurance ("Department") is authorized to regulate the practice of insurers in Indiana under Indiana Code 27-1 et seq.
2. The Department may hold disciplinary hearings in accordance with Indiana Code 4-21.5-3 and 4.

3. Respondent Smart Data Solutions is not now, nor has it ever been, authorized, licensed or registered by the Indiana Department of Insurance to transact any kind of insurance business whatsoever.

4. Respondent American Trade Association is not now, nor has it ever been, authorized, licensed or registered by the Indiana Department of Insurance to transact any kind of insurance business whatsoever.

5. Respondent Serve America Assurance is not now, nor has it ever been, authorized, licensed or registered by the Indiana Department of Insurance to transact any kind of insurance business whatsoever.

#### CONCLUSIONS OF LAW

1. An emergency exists in that Respondents continue to act as a health insurance provider in Indiana without being authorized to transact business in Indiana or registering with the Department.

2. An emergency exists in that Indiana citizens are in danger of purchasing said unregistered "health plans," which will likely lead to unpaid claims.

3. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code 4-21.5-4-2(a).

#### ORDER

It is, therefore, ORDERED, that Respondents must CEASE AND DESIST from acting as a health insurance provider, from holding themselves out as such, or otherwise transacting insurance business in Indiana, or otherwise violating in any way the insurance laws of Indiana.

Pursuant to Indiana Code 4-21.5-4-2, this order remains effective for 90 days commencing on the date this order is issued.

Respondents are hereby notified of their right to a hearing concerning this order as quickly as practicable under Indiana Code 4-21.5-4-4.

INDIANA DEPARTMENT OF INSURANCE



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Carol Cutter, Commissioner

Distribution to:

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Sent to Smart Data Solutions by Certified Mail # 7005 3110 0002 4440 4177

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