

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 8717-AG09-1022-219

IN THE MATTER OF:)
)
Phillip Raymond Winter)
Respondent)
)
4012 Aguila St., #B)
Carlsbad, CA 92008)
)
License Number: 477474)
)
Type of Agency Action: Enforcement)

FILED

DEC 02 2009

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance (“Department”) and Phillip Raymond Winter, (“Respondent”), a licensed resident Indiana insurance producer, 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 an administrative penalty in the amount of one thousand dollars (\$1,000.00), payable to the Indiana Department of Insurance, due no later than thirty (30) days from the date of this Final Order.

ALL OF WHICH IS ORDERED this 2nd day of Dec., 2009.



Carol Cutter, Commissioner
Indiana Department of Insurance

Distribution:

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

Phillip Raymond Winter
4012 Aguila St., #B
Carlsbad, CA 92008

Roger L. McNitt, Attorney
BLANCHARD, KRASNER & FRENCH
800 Silverado St., 2nd Floor
La Jolla, CA 92037

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is entered into by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Phillip Raymond Winter ("Respondent"), a licensed Indiana non-resident insurance producer, to resolve all matters in the administrative action commenced by the Department. This Agreed Entry is subject to the review and approval of Carol Cutter, Commissioner for the Indiana Department of Insurance.

WHEREAS, Respondent is a licensed non-resident insurance producer in the State of Indiana, holding license number 477474; and,

WHEREAS, the Department commenced an investigation of Respondent after receipt of information that Respondent failed to properly disclose and notify the Department of previous administrative actions in California and Wisconsin; and,


WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without the necessity of an administrative hearing.

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

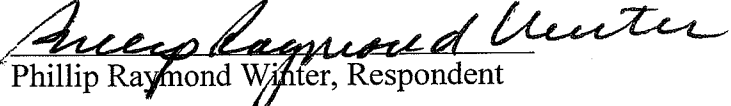
1. The Commissioner has jurisdiction over the subject matter and the Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties. Respondent voluntarily and freely waives his right to a public hearing on this matter.
3. Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
4. Respondent agrees to pay an administrative penalty in the amount of one thousand dollars (\$1,000.00), payable to the Indiana Department of Insurance, due within thirty (30) days from the date the Commissioner signs the Final Order in this matter.
5. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
6. Respondent is aware that failure to comply with any terms of this agreement will result in the matter being set for hearing.
7. Respondent has carefully read this agreement and fully understands and accepts its terms.

11/30/09
Date Signed

11-19-09
Date Signed



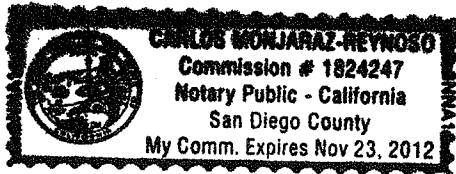
Nikolas P. Mann, Attorney
Indiana Department of Insurance



Phillip Raymond Winter, Respondent

STATE OF California)
) SS: 2009
COUNTY OF San Diego)

Before me a Notary Public for San Diego County, State of California, personally appeared Phillip Raymond Winter 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 20th day of November, 2009.



Carlos Monjaraz-Reynoso
Notary Signature

Carlos Monjaraz-Reynoso
Printed

My Commission Expires: Nov. 23, 2012

County of Residence: San Diego

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 300
311 West Washington Street
Indianapolis, IN 46204-2787
317/233-4243 - telephone
317/232-5251 - facsimile

CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)
 See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

Signature of Document Signer No. 1 _____ Signature of Document Signer No. 2 (if any) _____

State of California

County of San Diego

Subscribed and sworn to (or affirmed) before me on this

20th day of November, 2009, by
Date Month Year

(1) Phillip Raymond Wenter,
Name of Signer

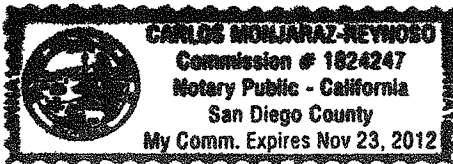
proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (S)

~~(and~~

(2) _____,
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature [Signature]
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Agreed Entry

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1
Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here