

STATE OF INDIANA     )  
                              )SS:  
                              )  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 9109-BB10-0215-004

IN THE MATTER OF:                     )

David O. Maggart,  
Respondent / Bail Agent.                )

24 W. Main Street                     )  
Peru, IN 46970                         )

**FILED**

MAR 10 2010

STATE OF INDIANA  
DEPT. OF INSURANCE

Type of Agency Action: Bail Agent Enforcement  
Indiana Bail Agent License No.: 5429

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance ("Department"), by its counsel, Robert L. Hummel, and David O. Maggart ("Respondent"), a licensed bail agent, signed an Agreed Entry which purports to resolve all issues involved in an investigation by the Bail Bond Division ("Division") and which has been submitted to the Commissioner of Insurance ("Commissioner") for approval.

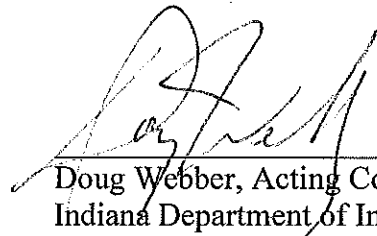
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall pay a civil penalty in the amount of two hundred and fifty dollars (\$250.00), payable by personal check or money order to the Division, and due in full within thirty (30) days after the date of this Final Order.

2. Respondent waives his right to petition for judicial review of this Final Order.

ALL OF WHICH IS ORDERED this 18 day of March, 2009.



Doug Webber, Acting Commissioner  
Indiana Department of Insurance

Distribution:

David O. Maggart  
24 W. Main Street  
Peru, IN 46970

Robert L. Hummel, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 300  
Indianapolis, IN 46204

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STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by Robert L. Hummel, attorney for the Bail Bond Division of the Indiana Department of Insurance ("Division"), and David O. Maggart ("Respondent"), a licensed Indiana bail bond agent, to resolve all issues concerning an investigation by the Division. This Agreed Entry is subject to the review and approval of Doug Webber, Acting Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed bail bond agent, license number 5429 and

WHEREAS, on January 21, 2010, the Division Auditor conducted an audit of Respondent's partner in the bail bond business, Nicholas Barrows, and further investigation revealed that Respondent had on one (1) occasion used more than one power of attorney to write a bond on a defendant, commonly referred to as "stacking powers;" and

WHEREAS, on February 12, 2010, Respondent met with the Division attorney, investigator, and auditor to discuss the issue raised; and

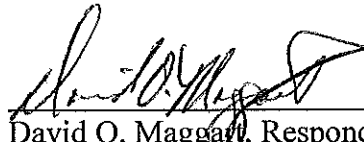
WHEREAS, the Department and Respondent desire to resolve their differences and settle the issue without a hearing;

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 January 21, 2010.
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 on one (1) occasion he used more than one power of attorney to execute a bail bond, contrary to Indiana bail law.
5. Respondent agrees to payment of a civil penalty in the amount of two hundred and fifty dollars (\$250.00), payable by personal check or money order to the Division, and payable in full within thirty (30) days after the date the Acting Commissioner signs the Final Order.
6. The Division 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 January 21, 2010.
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 bail agent license and/or additional civil penalties.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

3/11/2010

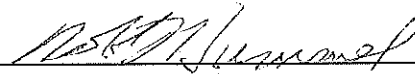
Date Signed



David O. Maggard, Respondent

2-16-10

Date Signed



Robert L. Hummel,  
Attorney, Indiana Department of Insurance

STATE OF INDIANA                    )  
  ) SS:  
COUNTY OF Miami                    )

Before me, a Notary Public for Miami County, State of  
Indiana, personally appeared David O. Maggart 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 11 day of March, 2010.

Sue Miller  
Signature

Sue Miller  
Printed

My Commission expires: 3/25/17

County of Residence: Miami

SUE MILLER  
Notary Public, Miami County, Indiana  
My Commission expires, Mar. 25, 2017