

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 8384-AG10-0315-040

Darryl R. Brooks, )  
Agent / Respondent )  
 )  
10 Redbud Road )  
Jeffersonville, Indiana 47130 )  
 )  
Type of Agency Action: Enforcement )  
 )  
 )

**FILED**

APR 23 2010

STATE OF INDIANA  
DEPT. OF INSURANCE

Indiana Insurance License No.: 1074370

**FINAL ORDER AND APPROVAL**

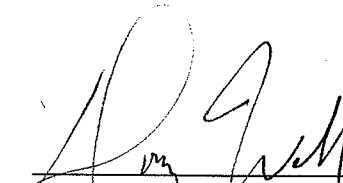
The Indiana Department of Insurance (“Department”) and Darryl R. Brooks, (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s license, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) 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 improperly withheld and misappropriated monies received in the course of doing insurance business.
2. Respondent demonstrated financial irresponsibility in the conduct of business in Indiana.
3. Respondent's Indiana resident producer's license, number 1074370, is Permanently Revoked.

ALL OF WHICH IS ORDERED this 23<sup>rd</sup> day of April, 2010.



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Doug Webber, Acting Commissioner  
Indiana Department of Insurance

Distribution:

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

Darryl R. Brooks  
10 Redbud Road  
Jeffersonville, Indiana 47130

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STATE OF INDIANA  
DEPT. OF INSURANCE

Indiana Insurance License No.: 1074370

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 Darryl R. Brooks ("Respondent"), a licensed Indiana resident insurance producer holding license number 1074370, to resolve all matters under Cause Number 8384-AG10-0315-040. This Agreed Entry is subject to the review and approval of Doug Webber, Acting Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed resident insurance producer in the State of Indiana; and

WHEREAS, on or about June 22, 2009, a complaint was received by the Department from Krasimira Ivanova, an Accounting Clerk with American Freedom Insurance Company, alleging that Respondent, owner of Guardian Angel Insurance Agency, had taken down payments and monthly installments for American Freedom

customers but failed to remit the money. They stated that the Respondent owed American Freedom in excess of \$2,000.00; and

WHEREAS, on or about August 25, 2009, a complaint was received by the Department from Teresa L. Nall, alleging that she had been making premium payments for automobile insurance to Guardian Angel Insurance Agency and then was contacted by American Freedom who informed her that her policy was going to be terminated if she did not make a payment. Teresa L. Nall also complained that she had submitted a loss claim on a vehicle that she had insured with the Respondent but was told by American Freedom that they did not have proof that Respondent had added the loss vehicle to her policy. Respondent failed to submit an additional, more detailed, second response when requested to do so by Department Investigator Mike Herndon; and

WHEREAS, on or about November 16, 2009, a complaint was received by the Department from Patricia Rainbolt, alleging that she had acquired insurance from Respondent but he failed to turn the premiums over to the MetLife Insurance Company. Patricia Rainbolt stated that MetLife told her that they had received a check from Respondent for half of her premium but that check "bounced". The Department's investigation confirmed Patricia Rainbolt's allegations. Respondent received a copy of the complaint on February 17, 2010 but failed to respond to the Department's certified letter; and

WHEREAS, on or about February 1, 2010, a complaint was received by the Department from Steve Wilkinson, the Underwriting & Marketing Manager for Haulers Insurance Company, alleging that they had been trying to obtain nine hundred and ninety-seven dollars (\$997) from respondent, Guardian Angel Insurance, since February 3, 2009. Haulers Insurance submitted copies of communications with Respondent and bank

statements to the Department. Respondent received a copy of the complaint on February 17, 2010 but failed to respond to the Department's certified letter; and

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

WHEREAS, this Agreed Entry is in the nature of a compromise and Respondent denies liability;

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

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
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 action.
4. Respondent agrees that the Department could make a prima facie case that he improperly withheld and misappropriated monies received in the course of doing insurance business.
5. Respondent agrees that the Department could make a prima facie case that he demonstrated incompetence, untrustworthiness, and financial irresponsibility in the conduct of business in Indiana.
6. Respondent agrees to the permanent revocation of his Indiana resident insurance producer license number 1074370.
7. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.

8. Respondent has carefully read this agreement and fully understands and accepts its terms.

4/20/10  
Date Signed

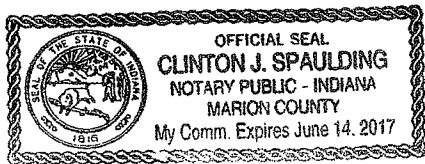
Nikolas P. Mann  
Nikolas P. Mann, Attorney  
Indiana Department of Insurance

4-13-10  
Date Signed

Darryl R. Brooks  
Darryl R. Brooks, Respondent

STATE OF INDIANA )  
COUNTY OF 4-13-10 MARION ) SS:

Before me a Notary Public for MARION County, State of Indiana, personally appeared Darryl R. Brooks and being first duly sworn by me upon his oath, states that the facts alleged in the foregoing instrument are true. Signed and sealed this 13 day of April 2010.



Clinton Spaulding  
Notary Signature

Clinton Spaulding  
Notary Name Printed

My Commission expires: 6-14-2017

County of Residence: Floyd

INDIANA DEPARTMENT OF INSURANCE  
Enforcement Division

Suite 300

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