

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 9051-AG10-0309-039

Jason L. Berkhalter, )  
Agent/ Respondent )  
 )  
4423 Winding Way Drive )  
Ft. Wayne, Indiana 46835 )  
 )  
Type of Agency Action: Enforcement )  
 )  
 )  
Indiana Insurance License No.: 401300

**FILED**  
APR 14 2010  
STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER AND APPROVAL**

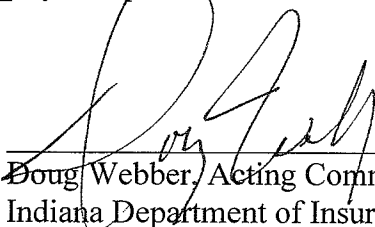
The Indiana Department of Insurance (“Department”) and Jason L. Berkhalter, (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s license, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) 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 Acting Commissioner of Insurance:

1. Respondent intentionally misrepresented the terms of an actual or proposed insurance contract or application for insurance.
2. Respondent used fraudulent and dishonest practices, demonstrating untrustworthiness in the conduct of business in Indiana.
3. Respondent knowingly submitted applications with false vehicle information, creating bogus business..
4. Respondent's active Indiana resident producer's license, number 401300, is Permanently Revoked.

ALL OF WHICH IS ORDERED this 14<sup>th</sup> day of April 2010.

  
\_\_\_\_\_  
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

Jason L. Berkhalter  
4423 Winding Way Drive  
Ft. Wayne, Indiana 46835

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
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CAUSE NUMBER: 9051-AG10-0309-039

Jason L. Berkhalter, )  
Agent / Respondent )

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Type of Agency Action: Enforcement )

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APR 19 2010

STATE OF INDIANA  
DEPT. OF INSURANCE

Indiana Insurance License No.: 401300

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 Jason L. Berkhalter (“Respondent”), a licensed Indiana resident insurance producer holding license number 401300, to resolve all matters under Cause Number 9051-AG10-0309-039. 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 January 19, 2010, a formal complaint was received by the Department from Cathy Reeder, a producer who formerly worked with the Respondent at AAA Insurance Company, alleging that Respondent knowingly submitted applications with false vehicle information, and listed seven vehicles as insured on Ashley Bostic’s account without her knowledge or consent. On March 1, 2010 Roger Ware, a Fraud Unit

Investigator for AAA Insurance Company, stated that Respondent had been terminated for cause from their company and that their internal investigation revealed that Respondent had created false vehicles on Ashly Bostic's account and Respondent also added to accounts, or had left insured, five different vehicles for five different people that should not have been insured; and

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues 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 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. Department investigator Mike Herndon determined, through BMV and Carfax research, that Ashley Bostic's vehicle information was false.
5. Respondent's company investigation determined that over a six (6) month period approximately forty-one (41) of one hundred sixty eight (168) vehicles insured by the Respondent had invalid VIN numbers.
6. Respondent intentionally misrepresented the terms of proposed applications for insurance.
7. Respondent used fraudulent and dishonest practices, demonstrating untrustworthiness in the conduct of business in Indiana.
8. Respondent agrees to the permanent revocation of his Indiana resident insurance producer license number 401300.

9. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
10. Respondent has carefully read this agreement and fully understands and accepts its terms.

4/13/10  
Date Signed

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

4-7-2010  
Date Signed

Jason L. Berkhalter  
Jason L. Berkhalter, Respondent

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Allen )

Before me a Notary Public for Allen County, State of Indiana, personally appeared Jason L. Berkhalter 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 7<sup>th</sup> day of April, 2010.

Regina M. Blanchette  
Notary Signature

Regina M. Blanchette  
Notary Name Printed

My Commission expires: 12-01-2016

County of Residence: Allen

INDIANA DEPARTMENT OF INSURANCE  
Enforcement Division  
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Indianapolis, IN 46204-2787  
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