

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

CAUSE NUMBER: 8846-AG09-1109-232

IN THE MATTER OF: )  
 )  
Courtney Gibson )  
d/b/a Insurance Network )  
383 Pleasant Grove )  
Columbus, IN 47201 )  
Type of Action: Enforcement )

**FILED**  
JUL 23 2010  
STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On May 24, 2010, the Administrative Law Judge, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Respondent by mailing the same to her address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

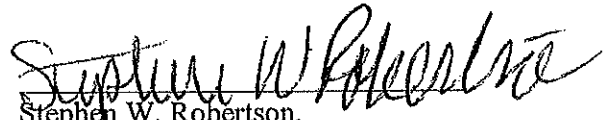
3. Respondent has not filed an objection with the Commissioner regarding the Administrative Law Judge's Recommended Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent's producer license shall be permanently revoked.
2. Respondent shall pay a fine in the amount of ten thousand dollars (\$10,000.00) within ninety (90) days.

ALL OF WHICH IS ORDERED by the Commissioner this 23<sup>rd</sup> day of July, 2010.

  
Stephen W. Robertson,  
Executive Director and  
Acting Commissioner,  
Indiana Department of Insurance

Copies to:

Nick Mann, Attorney  
Indiana Department of Insurance  
311 West Washington St., Suite 300  
Indianapolis, IN 46204

Courtney Gibson  
d/b/a Insurance Network  
383 Pleasant Grove  
Columbus, IN 47201

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BEFORE THE INDIANA  
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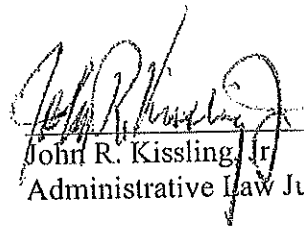
MAY 24 2010

STATE OF INDIANA  
DEPT. OF INSURANCE

**NOTICE OF FILING OF RECOMMENDED ORDER**

The parties of this action are hereby notified that the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order are deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the Commissioner of the Department of Insurance within eighteen (18) days from the date of this Order.

  
John R. Kissling, Jr.  
Administrative Law Judge



the Department has reason to believe she has been staying in recent months. (See Exhibit 2 and 3 and Transcript at 11:7-17).

3. Respondent is the agent of record at Insurance Network, a Bedford, IN insurance agency, and signed an Agreed Entry acknowledging that she was responsible for the actions of the agency. (See Exhibit 4 and Transcript at 16:3-15).
4. The Agreed Entry and resulting Final Order of April 17, 2009 also required that Respondent reimburse Amy Terrell, who had filed a complaint with the Department alleging that she had been paying premiums to Insurance Network for approximately two years for a policy that did not exist. (See Exhibit 4 and 5).
5. The Commissioner issued a Final Order adopting said Agreed Entry. (See Exhibit 5 and Transcript at 17:5-12).
6. On November 9, 2009, the Department received a complaint filed against Insurance Network from Mike Jones who stated that he had paid in full a six month auto premium to Insurance Network for a policy with Founders Insurance Company, but the policy was cancelled due to non-payment. Respondent's mother provided a "receipt", signed by Respondent that showed he now had a policy with Hallmark Insurance Company. (See Exhibit 6 and Transcript at 18:6-22).
7. The "receipt" provided by Respondent's mother showed that Mike Jones had an auto policy with Hallmark Insurance under policy number 014-000495-00. It was signed by Respondent. (See Exhibit 7 and Transcript at 19:14-18).
8. Respondent's mother, Karen Veen, had her producer's license revoked by Order of the Commissioner on December 24, 2008. (See Exhibit 4 and Transcript at 14:6-8).
9. Hallmark Insurance Company had no record of any policy being issued to Mike

Jones, and the policy number on the "receipt" provided by Respondent's mother was issued to someone else. (See Exhibit 8 and Transcript at 20:10-18).

10. Respondent's producer's license was suspended by Emergency Order on November 9, 2009. (See Exhibit 9 and Transcript at 21:11-15).
11. In a conversation with Respondent's mother, the Department learned that Respondent was "on the run" from police. (See Transcript at 23:12-22)
12. Respondent was convicted of Operating a Vehicle While Intoxicated Resulting in Serious Bodily Injury under cause number 49G03-0609-FC-178897. (See Exhibit 10 and Transcript at 24:8-13).
13. The aforementioned conviction was a conviction for a "C" felony. (See Exhibit 10 and Transcript at 24:16-20).
14. Respondent did not notify the Department of the criminal proceedings. (See Transcript at 23:23-25; 24:1-2).
15. There is currently an outstanding warrant for Respondent's arrest in Marion County, IN. (See Exhibit 11 and Transcript at 26:18-24).
16. The Department received additional complaints from Scarlett Fair, Stephanie McCamerron, Charles Hancock, James Kimmel, Janett Foster, Sue Ellen Wykoff, Ronald Sproles, Mandy Mounce, Jason Wesner, Jesse Shelton, Lorene Ashley, Patty and Michael Patton, Robert Simmons, Yvonne Tincher, Randy Knight, and Julie Runyon each alleging that Respondent and/or her mother had misappropriated premiums resulting in cancellations or lapses in coverage. (See Exhibit 12 and Transcript at 27:16-25; 28:1-8).
17. Respondent and her mother are currently being investigated by the Bedford Police

Department relating to the misappropriation of premiums. (See Transcript at 28:23-25; 29:1-3).

### CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. The Commissioner has the discretionary authority to revoke the Respondent's license to sell insurance and to fine Respondent.
4. The Department has met its burden in showing by a preponderance of the evidence that Respondent's conduct is contrary to the Indiana Insurance Code and that disciplinary action to include revocation of license is in order.
5. Respondent's conduct, as alleged herein, is contrary to Indiana Code Section 27-1-15.6-12(b)(4) by demonstrating a history of misappropriating premiums that were to pay for insurance policies belonging to Amy Terrell, Mike Jones, Scarlett Fair, Stephanie McCamerron, Charles Hancock, James Kimmel, Janett Foster, Sue Ellen Wykoff, Ronald Sproles, Mandy Mounce, Jason Wesner, Jesse Shelton, Lorene Ashley, Patty and Michael Patton, Robert Simmons, Yvonne Tincher, Randy Knight, and Julie Runyon and as such is subject to disciplinary action including but not limited to sanctions, fines, and revocation of her license. (See Exhibit 4, 6, and 12).
6. Respondent acted in a manner contrary to Indiana Code Section 27-1-15.6-12(b)(6) by being convicted of a felony and as such is subject to disciplinary action including but not limited to sanctions, fines, and revocation of her license. (See Exhibit 10).

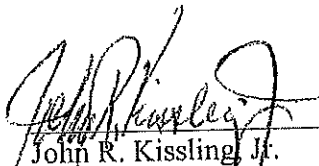
7. Respondent acted in a manner contrary to Indiana Code Section 27-1-15.6-17 (b) by failing to notify the Department of criminal proceedings (See Transcript at 23:23-25; 24:1-2).
8. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

**RECOMMENDED ORDER**

With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. Respondent's producer license should be permanently revoked.
2. Respondent should be required to pay a fine in the amount of ten thousand dollars (\$10,000.00) within ninety (90) days of the Commissioner's Final Order.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner this 24<sup>th</sup> day of May, 2010.

  
\_\_\_\_\_  
John R. Kissling Jr.  
Administrative Law Judge



STATE OF INDIANA )  
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COUNTY OF MARION )

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NOV 09 2009

STATE OF INDIANA  
DEPT. OF INSURANCE

**ORDER GRANTING EMERGENCY SUSPENSION ORDER**

The Indiana Commissioner of Insurance, having reviewed the Enforcement Division's Petition for Emergency Suspension Order, and being otherwise duly advised, now finds as follows:

**Findings of Fact**

1. Respondent has held resident producer's license 392803 since July 28, 2000.
2. Since March, 2009 the Department has investigated Respondent on multiple occasions and has received three (3) complaints from Indiana consumers alleging misappropriation of premiums paid to Respondent.
3. Respondent has demonstrated a history of incompetence, untrustworthiness and financial irresponsibility in the course of conducting insurance business in the state of Indiana.
4. An emergency exists in that Respondent continues to misappropriate client's funds and is issuing fraudulent documents to clients to lead them to believe they have insurance coverage when they do not.

**Conclusions of Law**

5. The Department of Insurance is authorized to regulate the practice of insurance agents in Indiana under Indiana Code §27-1-15.6.
6. The Department may hold disciplinary hearings under Indiana Code §27-4-1-6.
7. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code § 4-21.5-4-2(a) which states in relevant part:

“The agency shall issue the order under this chapter by one (1) of the following procedures:

Without notice or an evidentiary proceeding, by any authorized individual or panel of individuals. . . .”

**ORDER**

It is, therefore, ORDERED, that Respondent’s resident insurance license 392803 is immediately suspended. Pursuant to Indiana Code § 4-21.5-4-2, this order remains effective for 90 days commencing on the date this order is issued. Respondent is hereby notified of her right to a hearing concerning this order as quickly as practicable under Indiana Code § 4-21.5-4-4.



Carol Cutter  
Commissioner of Insurance

Distribution to:

Courtney Gibson  
383 Pleasant Grove  
Columbus, IN 47201

Laura A. Levenhagen, Esq.  
Enforcement Division  
Indiana Department of Insurance  
311 W. Washington St.  
Indianapolis, IN 46402