

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9202 – AG10 – 0527 - 106

IN THE MATTER OF:)

Samuel Goldsmith,)
Respondent,)

10232 Whitetail Circle)
Fishers, IN 46037)

Type of Agency Action: Enforcement)

License Number: 494814)

FILED
AUG 06 2010
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance (“Department”) and Samuel Goldsmith, (“Respondent”), an Indiana resident holding insurance producer’s license 494814, signed an Agreed Entry which purports to resolve all issues regarding the above cause number, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

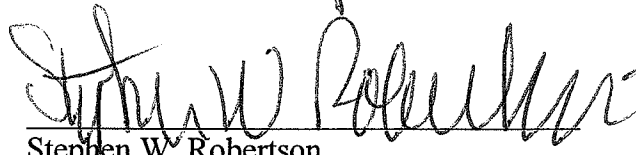
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the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

IT IS THEREFORE ORDERED, by the Commissioner of Insurance:

1. Respondent sent a series of e-mails to a potential customer, Gregg Riley, which were harassing in nature, prompting Mr. Riley to file a complaint with the Department.

2. Respondent was instructed to cease contacting Mr. Riley.
3. An investigation by the Department showed that Respondent had created an e-mail address which was used to send an additional e-mail to Mr. Riley, after having been instructed to cease contacting him.
4. Respondent's resident producer's license 494814 shall be placed on probationary status for a period of two (2) years.
5. Within ninety (90) days of this Order, Respondent shall pay an administrative fine of \$1,000.00.

ALL OF WHICH IS ORDERED this 6th day of August, 2010.


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

Distribution:

Samuel Goldsmith
10232 Whitetail Circle
Fishers, IN 46037

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

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by Nikolas P. Mann, Attorney for and on behalf of the State of Indiana, Indiana Department of Insurance (“Department”), and Samuel Goldsmith (“Respondent”), a resident insurance producer licensed in the State of Indiana, to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Executive Director / Acting Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a resident insurance producer licensed in the State of Indiana, holding license number 494814; and,

WHEREAS, the Department received a complaint on March 10, 2010 from Gregg Riley, a Texas resident, complaining that Respondent had been harassing him via e-mail and requested the Department intervene on his behalf; and,

WHEREAS, Mr. Riley provided copies of e-mail exchanges between himself and Respondent which showed that Respondent had sent multiple e-mails to Mr. Riley that were harassing in nature, even resorting to insulting Mr. Riley in some instances; and,

WHEREAS, following receipt of the complaint, Respondent and an investigator with the Department spoke via telephone and Respondent was instructed to cease contacting Mr. Riley; and,

WHEREAS, on April 26, 2010, Mr. Riley received an e-mail from the address grigorfool@gmail.com. The subject line and text of this e-mail were crude and offensive in nature; and,

WHEREAS, the Department conducted an investigation and determined that Respondent had created the e-mail address and sent the e-mail to Mr. Riley after being instructed by the Department to cease contact with Mr. Riley; and,

WHEREAS, Respondent's behavior, as alleged herein, is cause for discipline under Indiana Code 27-1-15.6-12 (b) (8); and,

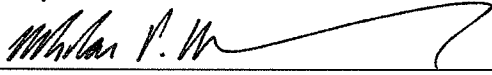
WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without the necessity of a hearing;

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 the right to a public hearing.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine of \$1,000.00, due within ninety (90) days of the date of the Final Order.
6. Respondent's producer's license shall be placed on probationary status for a period of two (2) years, from the date of the Final Order.

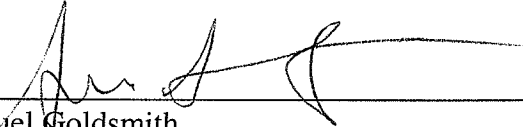
7. Respondent has carefully read this agreement and fully understands and accepts its terms.

8/3/10
Date Signed



Nikolas P. Mann, Attorney
Indiana Department of Insurance

7/29/10
Date Signed



Samuel Goldsmith,
Respondent

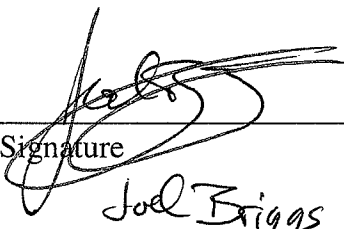
STATE OF INDIANA)
) SS:
COUNTY OF Marion)



JOEL BRIGGS
Resident of Marion County, IN
Commission Expires: November 9, 2014

Before me a Notary Public for Marion County, State of Indiana,
personally appeared Samuel Goldsmith, 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 29th day of July 2010.



Signature
Joel Briggs

Printed

My Commissioner expires: Nov. 9, 2014

County of Residence: Marion