

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 9907-AG10-1207-164

IN THE MATTER OF:

Shawn Spitler
2012 Justice Ln.
Kokomo, IN 46902

Spitler Insurance, Inc.
2012 Justice Ln.
Kokomo, IN 46902

Respondent,

Type of Agency Action: Enforcement

License Numbers: 478037 and 710146

FILED

AUG 29 2011

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Indiana Department of Insurance ("Department") and Shawn Spitler, ("Respondent"), an Indiana resident holding insurance producer's license number 478037 and the sole employee of Spitler Insurance Inc., an Indiana resident insurance agency holding license number 710146, 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 has committed a number of errors in completing insurance applications on behalf of Indiana consumers, including providing inaccurate underwriting information, incorrectly written policies and failing to verify underwriting information.
2. The allegations constitute violations of Indiana Code § 27-1-15.6-12(b)(8).
3. Respondent's producer license number 478037 and agency license number 710146 shall be permanently revoked, effective immediately.
4. This Final Order will supersede the Final Order issued December 17, 2010 under this cause number.

ALL OF WHICH IS ORDERED this 29th day of August, 2011.


Stephen W. Robertson,
Commissioner, Indiana Department of Insurance

Distribution:

Shawn Spitler
Individually and on behalf of Spitler Insurance Agency, Inc.
2012 Justice Ln.
Kokomo, IN 46902

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

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Respondents,

Type of Agency Action: Enforcement

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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 Shawn Spitler and Spitler Insurance, Inc. (collectively "Respondents"), licensed insurance producers 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, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent Spitler is licensed as an individual resident insurance producer in the State of Indiana, holding license number 478037; and,

WHEREAS, Respondent Spitler has been licensed since September 15, 2005; and,

WHEREAS, Respondent Spitler is the Qualifying Active Officer and sole employee of Spitler Insurance, Inc., a licensed producer agency holding license number 710146; and,

WHEREAS, Respondent Spitler Insurance, Inc. has been licensed since August 6, 2010;
and,

WHEREAS, on December 17, 2010, the Commissioner issued a Final Order under this cause number wherein Respondents' licenses were suspended for a period of one year and Respondents were required to pay a fine of \$1,500 and complete one continuing education class regarding ethics and one continuing education class concerning underwriting principles before being eligible to apply for reinstatement; and,

WHEREAS, Respondent Spitler no longer wishes to work in the insurance industry, and has no further need for a producer's license for himself or his agency; 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 Respondents in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondents voluntarily and freely waive the right to a public hearing.
4. Respondents voluntarily and freely waive the right to judicial review of this matter.
5. Respondents agree to the permanent revocation of producer license numbers 478037 and 710146.
6. The parties agree that this Agreed Entry supersedes the Agreed Entry executed previously under the same cause number, and that the forthcoming Final Order supersedes the Final Order filed on December 17, 2010.
7. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall

not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.

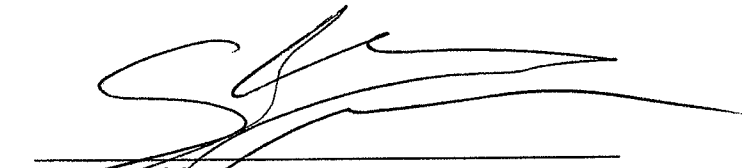
8. Respondent Spitler has carefully read this agreement and fully understands and accepts its terms.

8/22/11
Date Signed



Nikolas P. Mann, Attorney
Indiana Department of Insurance

7/24/11
Date Signed



Shawn Spitler,
Individually and as Qualifying Active Officer of Spitler
Insurance, Inc.