

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 10986-AG12-0209-014

IN THE MATTER OF:

Sean William Thom)
5820 Marble Ct.)
Anderson, IN 46013)

Respondent)

Type of Agency Action: Enforcement)

Indiana Resident Producer License No. 630131)

FILED

MAR 23 2012

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance (“Department”) and Sean William Thom, (“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 provided incorrect, misleading, incomplete, or materially untrue information in a license application.
2. Respondent obtained a license through misrepresentation or fraud.
3. Respondent intentionally misrepresented the terms of an actual or proposed insurance contract or application for insurance.
4. Respondent's Indiana resident producer's license, number 630131, is Permanently Revoked.

ALL OF WHICH IS ORDERED this 23rd day of March 2012.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Nikolas P. Mann
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Sean William Thom
5820 Marble Ct.
Anderson, Indiana 46013

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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 Sean William Thom (“Respondent”), an inactive licensed Indiana resident insurance producer that held license number 630131, to resolve all matters under Cause Number 10986-AG12-0209-014. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent was an active licensed resident insurance producer in the State of Indiana, with an original issue date of December 15, 2008. On December 31, 2010, Respondent’s Indiana Resident Producer License became inactive for failure to renew; and

WHEREAS, on September 15, 1995, Respondent was convicted of an A Misdemeanor, Criminal Conversion, in Delaware County, Indiana, Circuit Court V, under Cause Number 18D04-9702-CM-33; and

WHEREAS, on March 30, 1999, Hamilton County, Indiana, Superior Court V accepted a guilty plea from the Respondent to Possession of Marijuana, a D Felony, under Cause Number 29D05-9807-DF-002513. Respondent was convicted and sentenced to three (3) years at the Indiana

Department of Correction, sixty (60) days ordered executed, and two (2) years three hundred five (305) days ordered suspended. On June 8, 2011, the Court modified Respondent's conviction from a D Felony to an A Misdemeanor; and

WHEREAS, on or about December 15, 2008, the Respondent submitted the application for his resident insurance producer license and answered "no" on the application question, "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" and

WHEREAS, on February 6, 2012, the Department received a Report of Investigation from Ben Lamb, an Investigator with AFLAC Insurance Company's Special Investigations Unit, stating that Respondent submitted paperwork establishing thirteen (13) businesses as AFLAC group accounts and each business was found to be fictitious. Investigator Lamb also stated that the Respondent submitted two hundred (200) applications for one hundred four (104) different individuals under these accounts and all of these individuals were also found to be fictitious; 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. Respondent provided incorrect and materially untrue information in a license application.

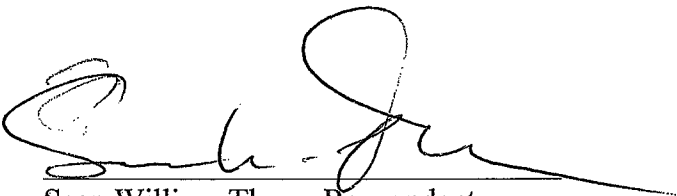
5. Respondent obtained a license through misrepresentation.
6. Respondent intentionally misrepresented the terms of proposed applications for insurance.
7. Respondent agrees to the permanent revocation of his Indiana resident insurance producer license number 630131.
8. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
9. 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.
10. Respondent has carefully read this agreement and fully understands and accepts its terms.

3/19/12
Date Signed



Nikolas P. Mann, Attorney
Indiana Department of Insurance

3/1/12
Date Signed

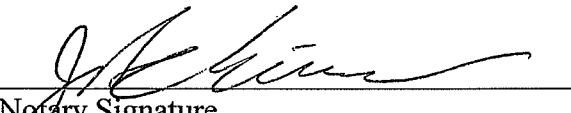


Sean William Thom, Respondent

STATE OF INDIANA)
) SS:
COUNTY OF Hamilton)

JACOB M. CINAMON
NOTARY PUBLIC, STATE OF INDIANA
HAMILTON COUNTY
MY COMMISSION EXP 9/1/2019
COMMISSION NUMBER 629176

Before me a Notary Public for Hamilton County, State of Indiana, personally appeared Sean William Thom 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 1 day of March 2012.



Notary Signature

Jacob Cinamon

Notary Name Printed

My Commission expires: 9-1-19

County of Residence: Hamilton

INDIANA DEPARTMENT OF INSURANCE
Enforcement Division
311 West Washington Street, Suite 103
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317/234-5888 - telephone
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