

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 11271-AG12-0703-087

IN THE MATTER OF:)
)
Gulliver J. Lache)
8734 Limberlost Court)
Camby, IN 46113)
License No. 689495)
)
Seguros Continental* Inc.)
2680 E. Main St., STE 319)
Plainfield, IN 461688)
License No. 795920)
)
Respondents.)
)
Type of Action: Enforcement)

FILED

JUL 18 2012

STATE OF INDIANA
DEPT. OF INSURANCE

FINDINGS OF FACT AND SUSPENSION ORDER

WHEREAS, Gulliver J. Lache (“Lache”) and Seguros Continental, Inc. (“Seguros”) (collectively “Respondents”) are resident producers with license numbers 689495 and 795920, respectively.

WHEREAS, Lache is the Qualifying Active Officer of Seguros.

WHEREAS, on or about April 19, 2012, Gustavo Martinez-Pak (“Complainant”) filed a complaint with the Indiana Department of Insurance (“Department”) alleging, in part, the following: In October 2011, Lache sold Complainant and his wife a Zurich business liability policy. On or about April 12, 2012, Complainant tried to contact Lache regarding a workers’ compensation insurance matter. Complainant could not reach Lache in person or by phone. Complainant contacted Zurich and learned that a policy was never issued.

WHEREAS, on April 23, 2012, Department Investigator David Cuthbert, on behalf of the Commissioner of the Department (“Commissioner”), mailed Lache a certified letter requesting a written response to Complainant’s complaint and a list of companies with which Lache held appointments during the previous twelve (12) months. Cuthbert notified Lache that the Department would suspend his license if he failed to submit the list of appointments within ten (10) days of receiving the letter. Cuthbert mailed the letter to 8734 Limberlost Court, Camby, Indiana 46113, Lache’s address of record with the Department.

WHEREAS, also on April 23, 2012, Cuthbert, on behalf of the Commissioner, authored a similar letter to the “President/Owner” of Seguros and mailed it to 2680 E. Main Street, Ste 319, Plainfield, IN 46168, Seguros’ address of record with the Department. Cuthbert notified the recipient that Seguros’ license could be suspended if the Department did not receive Seguros’ list of appointments.

WHEREAS, both letters were returned by the U.S. Postal Service as “not deliverable as addressed / unable to forward.”

WHEREAS, on June 25, 2012, Cuthbert, on behalf of the Commissioner, authored another letter to Lache and mailed it to 3850 Wind Drift Dr. E Apt. 2C, Lache’s address of record with the Indiana Bureau of Motor Vehicles. Cuthbert requested a response to Complainant’s complaint, including information about the policy issued by Zurich, and he notified Lache that Lache’s failure to respond within ten (10) days would result in the suspension of Lache’s license.

WHEREAS, Cuthbert’s June 25 letter was returned by the U.S. Postal Service as “not deliverable as addressed / unable to forward.”

WHEREAS, Lache failed to timely inform the commissioner of a change in address which constitutes a violation of Ind. Code § 27-1-15.6-12(b)(17).

WHEREAS, Respondents failed to provide a list of their appointments within ten (10) days as requested by the Commissioner which constitutes a violation of Ind. Code § 27-1-15.6-12(g).

WHEREAS, pursuant to Ind. Code § 27-1-15.6-12(h), the Commissioner may, in his sole discretion and without a hearing, suspend Respondents' licenses pending receipt of the appointment lists.

WHEREAS, the Commissioner shall set this matter for hearing upon request of either Respondent pursuant to Ind. Code § 4-21.5-4-4.

IT IS THEREFORE ORDERED that Respondents, Gulliver J. Lache and Seguros Continental Inc., license numbers 689495 and 795920, respectively, are hereby suspended, effective immediately, and will remain suspended until Respondents submit their lists of appointments and response(s) to Complainant's administrative complaint.

ALL OF WHICH IS ORDERED the 18th day of July, 2012.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

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Indianapolis, IN 46224

Gulliver J. Lache
3850 Wind Drift Dr. E Apt. 2C
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Seguros Continental Inc.
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Plainfield, IN 46168

Seguros Continental Inc.
21 Beachway Dr. Suite C
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