

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 11630-AG12-1210-113

IN THE MATTER OF: )

The Abstract & Title of Marion )  
County, Inc. )  
71 West Marion Street )  
Danville, Indiana 46122 )

Respondent )

Type of Agency Action: Enforcement )  
License Number: 36984 )

**FILED**

JAN 07 2013

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

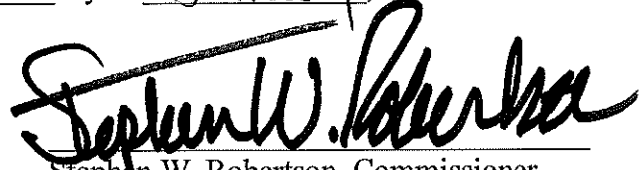
The Indiana Department of Insurance ("Department") and The Abstract & Title of Marion County, Inc. ("Respondent"), a licensed Indiana insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent's action and which has been submitted to the Commissioner of Insurance ("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 shall pay a civil penalty of \$500.00 within thirty (30) days of the signing of this Final Order for non-compliance with the Indiana insurance producer licensing statutes.

ALL OF WHICH IS ORDERED this 7<sup>th</sup> day of January, 2013

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Ben Comer, President  
The Abstract & Title of Marion County, Inc.  
71 West Marion Street  
Danville, Indiana 46122

Dan L. Oliver, Attorney  
Indiana Department of Insurance  
311 West Washington St. Suite 103  
Indianapolis, Indiana 46204

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STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is entered into by Dan L. Oliver, Attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and The Abstract & Title of Marion County, Inc., ("Respondent"), a licensed resident insurance producer holding Indiana insurance license number 36984, to resolve all matters under Cause Number 11630-AG12-1210-113. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance.

WHEREAS, Respondent is a licensed insurance producer firm in the State of Indiana;  
and

WHEREAS, during the course of an examination of Respondent, the examiner Fred Medley discovered that Respondent employed two individuals as closing agents. Both employees' insurance producer's licenses had expired for a time period during the calendar year 2012 before the examination date. One employee from 5/31/12 thru 8/23/12 and the other employee from 6/30/12 thru 8/23/12; and

WHEREAS, the agency benefited from the collection of premiums and closing fees resulting from transactions examined by the examiner during the time the licenses had expired; and

WHEREAS, Ben Comer, President is authorized to act on behalf of the agency and obligate it to perform in accordance with this agreement; and

WHEREAS, both employees have since obtained the proper license and are currently practicing the business of selling, soliciting or negotiating title insurance in the State of Indiana; and


WHEREAS, the parties desire to resolve their differences and settle the issues without a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

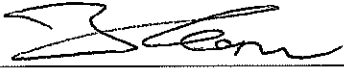
1. The Commissioner has jurisdiction over the subject matter and the Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives its right to a public hearing on the issues in this action.
4. Respondent waives its right for a judicial review of this matter.
5. Respondent agrees to pay a civil penalty of **\$500.00** within thirty days (30) of the signing of the Commissioner's Final Order for non-compliance with the Indiana insurance producer licensing statutes.
6. 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.

7. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.

1-2-2013  
Date Signed

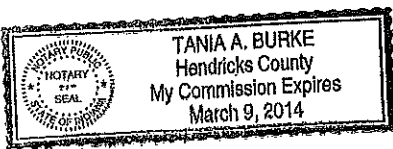
  
Dan L. Oliver, Attorney  
Indiana Department of Insurance

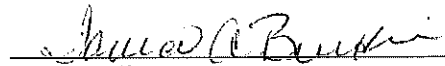
1-2-13  
Date Signed

  
Ben Comer, President  
The Abstract & Title of Marion County, Inc.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Hendricks )

Before me a Notary Public for Hendricks County, State of Indiana, personally appeared Ben Comer, in his capacity as President of The Abstract & Title of Marion County, Inc. 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 2<sup>nd</sup> day of January, 2013.



  
Notary Signature

\_\_\_\_\_  
Notary Name Printed

My Commission expires: \_\_\_\_\_

County of Residence: \_\_\_\_\_