

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 12248-AG13-1025-129

Kevin N. Sibery,)
 Agent / Respondent)
)
3508 Franklin Drive)
 Auburn, Indiana 46706)
)
Type of Agency Action: Enforcement)
)
)

FILED
NOV 22 2013
STATE OF INDIANA
DEPT. OF INSURANCE

Indiana Insurance License No.: 1879150

FINAL ORDER AND APPROVAL

The Indiana Department of Insurance (“Department”) and Kevin N. Sibery, (“Respondent”), signed an Agreed Entry which purports to resolve all issues in the above-captioned matter, 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 that:

1. Respondent pay a civil penalty in the amount of Five Hundred Dollars and no/100 (\$500.00), no later than ninety (90) days from today's date.

ALL OF WHICH IS ORDERED this 22nd day of November 2013.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Michael F. Mullen
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Kevin N. Sibery
3508 Franklin Drive
Auburn, Indiana 46706

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AGREED ENTRY

This Agreed Entry is entered into by Michael F. Mullen, attorney for and on behalf of the Enforcement Division of the Indiana Department of Insurance ("Department"), and Kevin N. Sibery ("Respondent"), a licensed Indiana resident insurance agent holding license number 187950, to resolve all matters under Cause Number 12248-AG13-1025-129. 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 resident producer in the State of Indiana; and;

WHEREAS, on or about May 24, 2013, the Department received a consumer complaint alleging that Respondent forged the names of two (2) Indiana consumers on an application for health insurance and,

WHEREAS, the Department and Respondent (collectively, 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 Parties 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 agrees to payment of a civil penalty in the amount of Five Hundred Dollars and no/100 (\$500.00) to the Indiana Department of Insurance within ninety (90) days from the date the Commissioner's Final Order is filed.
6. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.
7. Respondent is aware that his failure to comply with any of the terms of this agreement will result in the matter being set for hearing and may result in the permanent revocation of his Indiana insurance producer license and/or additional civil penalties.
8. 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.

