

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 11498-AG14-0210-022

IN THE MATTER OF:

ROBERT TODD McCARTHY
50 Julia Street
Franklin, IN 46131

ROBERT TODD McCARTHY
505 W. Smith Valley Road
Greenwood, IN 46142

Resident Producer License #: 891675

Type of Agency Action: Enforcement

FILED

FEB 21 2014

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Indiana Department of Insurance ("Department") and Robert Todd McCarthy ("McCarthy"), a licensed resident Indiana insurance producer, 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's resident insurance producer license number 891675 is hereby

permanently revoked, effective immediately.

ALL OF WHICH IS ORDERED this 21st day of February, 20 14


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

Robert Todd McCarthy
50 Julia Street
Franklin, IN 46131

Robert Todd McCarthy
505 W. Smith Valley Rd.
Greenwood, IN 46142

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DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Indiana Department of Insurance ("Department"), by counsel, and Robert Todd McCarthy ("McCarthy"), an Indiana resident insurance producer. This Agreed Entry is subject to the review and approval of the Commissioner of the Department.

WHEREAS, McCarthy is a resident of Indiana;

WHEREAS, McCarthy is a licensed insurance producer, holding license number 891675;

WHEREAS, McCarthy's license was issued on a probationary basis by Commissioner's Order on July 19, 2013;

WHEREAS, the terms of McCarthy's probation required a written report to be submitted to the Department every ninety (90) days;

WHEREAS, McCarthy has failed to submit the required reports to the Department;

WHEREAS, on or about December 11, 2013, McCarthy entered a plea of guilty to one count of Class A Misdemeanor Possession of Paraphernalia, and two counts of Class D Felony Possession of Child Pornography;

WHEREAS, McCarthy failed to notify the Department of the criminal prosecution within thirty (30) days as required by Ind. Code 27-1-15.6-17. ; and,

WHEREAS, the Department and McCarthy desire to 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 of and the parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the parties.
3. McCarthy voluntarily and freely waives his right to a public hearing.
4. McCarthy voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
5. McCarthy agrees to the permanent revocation of his Indiana resident producer license.
6. The Department agrees to accept McCarthy's compliance with the terms of this agreement as full resolution of the issue.
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. McCarthy has carefully read and examined this agreement and fully