

STATE OF INDIANA     )  
                              ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER:12772-AG14-0128-010

Shane Carney  
1310 Fairbanks Drive  
Carmel, IN 46033

Respondent.

Type of Agency Action: Enforcement

Resident Producer License: 772993

**FILED**

FEB 20 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance ("Department"), by counsel, Michael F. Mullen, and Shane Carney ("Respondent"), a licensed resident insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance (the "Commissioner") for approval.

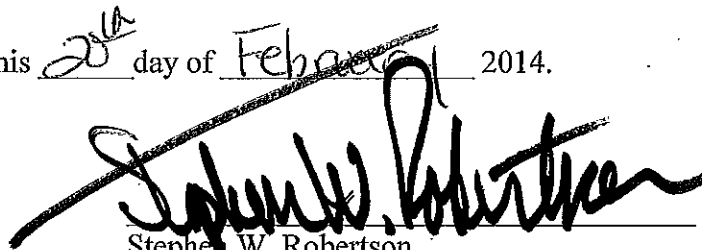
The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall pay an administrative fine of Two Hundred Fifty Dollars and no/100 (\$250.00) within thirty (30) days of today's date.

2. As of today's date, license number 772993, shall be placed on probation for a period of twelve (12) months.

ALL OF WHICH IS ORDERED this 20<sup>th</sup> day of February 2014.

A large, stylized handwritten signature in black ink, which appears to read "Stephen W. Robertson". The signature is written over a horizontal line.

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

Shane Carney  
1310 Fairbanks Drive  
Carmel, IN 46033

**Certified Receipt Number: 9214 8901 0661 5400 0027 7124 70**

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause Number: 12772-AG14-0128-010

IN THE MATTER OF: )

Shane Carney )  
1310 Fairbanks Drive )  
Carmel, IN 46033 )

Respondent. )

Type of Agency Action: )  
Enforcement )

Resident Producer License: 772993 )

**FILED**

FEB 20 2014

STATE OF INDIANA  
DEPT. OF INSURANCE

**AGREED ENTRY**

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Michael F. Mullen, and Shane Carney ("Respondent"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance.

WHEREAS, On July 2011, Respondent submitted an application for a Resident Producer's license; and,

WHEREAS, on said license application, Respondent failed to disclose a January 2011 Felony charge of Operating a Vehicle While Intoxicated Enhancement; and,

WHEREAS, the Department alleges that Respondent's conduct constitutes a violation of Indiana Code §27-1-15.6-12(b)(1); and,

WHEREAS, on August 30, 2011, Respondent was issued license number 772993 ("Respondent's license"); and,

WHEREAS, Respondent's license expired on November 30, 2013; and,

WHEREAS, while licensed, Respondent failed to timely inform the Commissioner that on December 1, 2011 he pled guilty to the previously noted felony charge; and,

WHEREAS, the Department further alleges that Respondent's conduct constitutes a violation of Indiana Code §27-1-15.6-12(b)(6); and,

WHEREAS, Respondent now seeks to reinstate his license; and,

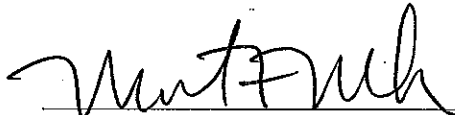
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

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

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this agreement and the Commissioner's Final Order.
5. Respondent acknowledges Ind. Code § 27-1-15.6-17(b) requires him to report to the Commissioner, not more than thirty (30) days after an initial pretrial hearing date, any criminal prosecution initiated in any jurisdiction.
6. Respondent shall pay an administrative fine in the amount of Two Hundred Fifty Dollars and 00/100 (\$250.00) within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
7. Respondent's license will be placed on probation for a period of twelve (12) months.

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.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

2/6/2014  
~~1/30/14~~ MPM  
Date Signed

  
\_\_\_\_\_  
Michael F. Mullen, Attorney for the  
Indiana Department of Insurance,  
Enforcement Division

1/30/14  
Date Signed

  
\_\_\_\_\_  
Shane Carney, Respondent

STATE OF INDIANA )  
COUNTY OF Marion ) SS:

Before me a Notary Public for Morgan County, State of Indiana,  
personally appeared Shane Carney, and being first duly sworn by me upon his oath, says that the  
facts alleged in the foregoing instrument are true.

Signed and sealed this 30th day of January, 2014.

Linda Reynolds  
Signature

LINDA REYNOLDS  
Printed

My Commission expires: 8-13-15

County of Residence: Morgan

**Certified Mail Receipt: 9214 8901 0661 5400 0027 6106 39**