

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER:11814-AG14-0321-037

IN THE MATTER OF:)
)
Jody J. Fields,)
Respondent.)
)
10 S Franklin St.)
Bloomfield, IN 47424)
)
Type of Action: Title Enforcement)

FILED

JUN 20 2014

STATE OF INDIANA
DEPT. OF INSURANCE

RENEWAL OF EMERGENCY CEASE AND DESIST ORDER

The Indiana Commissioner of Insurance, having reviewed the Title Division's Motion to Renew the March 25, 2014 Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

FINDINGS OF FACT

1. Respondent is a resident title insurance producer, holding license number 2283140 which expired on September 30, 2013 but was reinstated on March 26, 2014.
2. Respondent is the manager of Greene County Abstract Co., Inc. ("Greene County Abstract"), located in Bloomfield, Indiana. Greene County Abstract is owned by Barry Miller, who was a licensed resident title insurance producer, holding license number 493299 which expired on May 31, 2010.
3. Barry Miller placed Respondent in charge of managing Greene County Abstract's office, conducting closings, reconciling the escrow account, overseeing payroll, reporting to underwriters, conducting title examinations, and issuing policies.

4. On March 17, 2014, Division Senior Examiner Nicole Lotter conducted an examination of Greene County Abstract and found that owner Barry Miller's title insurance producer license had expired on May 31, 2010, that Respondent's title insurance producer license had expired on September 30, 2013 and that the Greene County Abstract's title agency license had expired on January 31, 2014.

5. On March 25, 2014, the Commissioner of the Indiana Department of Insurance issued an Emergency Cease and Desist order pursuant to Ind. Code §4-21.5-4-2(a) requiring that Respondent cease and desist from "[a]ll activity as a licensed title insurance producer including the solicitation, negotiation, and sale of insurance." The order is to remain effective until June 23, 2014, ninety (90) days from the date the order was issued.

6. During the ninety (90) day period, the Division made attempts to reach a settlement. Respondent requested an evidentiary hearing on the March 25, 2014 Emergency Cease and Desist order. The hearing date was set for June 11, 2014 and to be heard by Administrative Law Judge Reuben B. Hill.

7. Respondent's counsel filed an Emergency Motion to Withdraw as Counsel on June 10, 2014 and then filed an order Vacating Hearing on the Emergency Cease and Desist order on June 11, 2014. Both orders were granted.

8. The hearings for Barry Miller and Greene County Abstract proceeded as scheduled.

9. Due to Respondent vacating the June 11, 2014 hearing and failing to reach settlement terms, this matter will not be completed by the June 23, 2014 Emergency Cease and Desist expiration date.

CONCLUSIONS OF LAW

1. There remain outstanding issues pertaining to Respondent's and Barry Miller's conduct of business in managing Greene County Abstract while their licenses were expired.

2. Under Ind. Code §4-21.5-4-5(b), the Department of Insurance may renew the Emergency Cease and Desist order during the pendency of any related proceeding under Ind. Code §4-21.5-3 for successive ninety (90) day periods unless prohibited by statute.

ORDER

It is therefore ORDERED that Respondent must continue to CEASE AND DESIST from:

1. All activity as a licensed title insurance agency including the solicitation, negotiation, and sale of insurance.

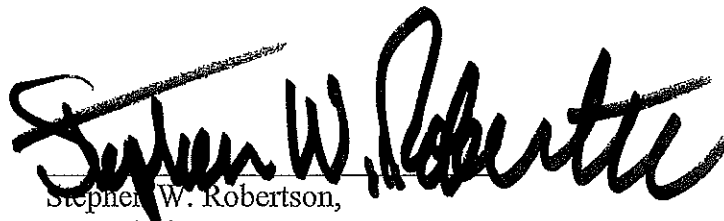
A copy of this Order will be provided to all title insurance companies with whom Respondent holds appointments.

Pursuant to Ind. Code §4-21.5-4-5(b), this order remains effective for ninety (90) days commencing on the date this order is issued.

Respondent is hereby notified of his right to a hearing concerning this order as quickly as practicable under Ind. Code §4-21.5-4-4.

6-20-14

Date



Stephen W. Robertson,
Commissioner
Indiana Department of Insurance

Distribution to:

Jody J. Fields
10 S Franklin St.
Bloomfield, IN 47424

Robert L. Hummel
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

Dan Lowe
General Title and Trust
208 N. Walnut St., Suite 205
Bloomington, IN 47404

STATE OF INDIANA)
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BEFORE THE INDIANA
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CAUSE NUMBER:11814-AG14-0321-037

IN THE MATTER OF:)

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Respondent.)

10 S Franklin St.)
Bloomfield, IN 47424)

Type of Action: Title Enforcement)

FILED

JUN 20 2014

STATE OF INDIANA
DEPT. OF INSURANCE

MOTION TO RENEW EMERGENCY CEASE AND DESIST ORDER

The Title Division ("Division") of the Indiana Department of Insurance, pursuant to Ind. Code §4-21.5-4, files its petition to renew the March 25, 2014 Emergency Cease and Desist order against Jody J. Fields ("Respondent"), and states:

1. Respondent is a resident title insurance producer, holding license number 2283140 which expired on September 30, 2013 but was reinstated on March 26, 2014.

2. Respondent is the manager of Greene County Abstract Co., Inc. ("Greene County Abstract"), located in Bloomfield, Indiana. Greene County Abstract is owned by Barry Miller, who was a licensed resident title insurance producer, holding license number 493299 which expired on May 31, 2010.

3. Barry Miller placed Respondent in charge of managing Greene County Abstract's office, conducting closings, reconciling the escrow account, overseeing payroll, reporting to underwriters, conducting title examinations, and issuing policies.

4. On March 17, 2014, Division Senior Examiner Nicole Lotter conducted an examination of Greene County Abstract and found that owner Barry Miller's title

insurance producer license had expired on May 31, 2010, that Respondent's title insurance producer license had expired on September 30, 2013 and that the Greene County Abstract's title agency license had expired on January 31, 2014.

5. On March 25, 2014, the Commissioner of the Indiana Department of Insurance issued an Emergency Cease and Desist order pursuant to Ind. Code §4-21.5-4-2(a) requiring that Respondent cease and desist from "[a]ll activity as a licensed title insurance producer including the solicitation, negotiation, and sale of insurance." The order is to remain effective until June 23, 2014, ninety (90) days from the date the order was issued.

6. During the ninety (90) day period, the Division made attempts to reach a settlement. Respondent requested an evidentiary hearing on the March 25, 2014 Emergency Cease and Desist order. The hearing date was set for June 11, 2014 and to be heard by Administrative Law Judge Reuben B. Hill.

7. Respondent's counsel filed an Emergency Motion to Withdraw as Counsel on June 10, 2014 and then filed an order Vacating Hearing on the Emergency Cease and Desist order on June 11, 2014. Both orders were granted.

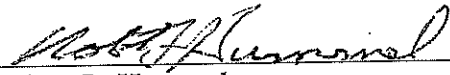
8. The hearings for Barry Miller and Greene County Abstract proceeded as scheduled.

9. Due to Respondent vacating the June 11, 2014 hearing and failing to reach settlement terms, this matter will not be completed by the June 23, 2014 Emergency Cease and Desist expiration date.

10. There remain outstanding issues pertaining to Respondent's and Barry Miller's conduct of business in managing Greene County Abstract while their licenses were expired.

11. Under Ind. Code §4-21.5-4-5(b), the Department of Insurance may renew the Emergency Cease and Desist order during the pendency of any related proceeding under Ind. Code §4-21.5-3 for successive ninety (90) day periods unless prohibited by statute.

WHEREFORE, the Title Division requests that the Commissioner renew the March 25, 2014 Emergency Cease and Desist order against Respondent under Ind. Code §4-21.5-4-5(b) for an additional period of ninety (90) days, and for all other necessary and proper relief.

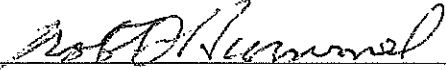

Robert L. Hummel
Attorney #20936-49

Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

Certificate of Service

I certify that a copy of the foregoing has been served upon Respondent by Certified United States Mail, return receipt requested, postage prepaid, this 20th day of June, 2014.

Jody J. Fields
10 S Franklin St.
Bloomfield, IN 47424


Robert L. Hummel, #20936-49

Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

Via Certified Mail, Receipt #9214 8901 0661 5400 0034 4447 22

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER:11814-AG14-0321-037

IN THE MATTER OF:)

Jody J. Fields,)
Respondent.)

332 Wilson Drive)
Bloomfield, IN 47424)

Type of Action: Title Enforcement)

FILED

MAR 25 2014

STATE OF INDIANA
DEPT. OF INSURANCE

EMERGENCY CEASE AND DESIST ORDER

The Indiana Commissioner of Insurance, having reviewed the Title Division's Motion for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

FINDINGS OF FACT

1. Respondent was a resident title insurance producer, holding license number 2283140 which expired on September 30, 2013.
2. Respondent is an employee of Greene County Abstract Co., Inc. ("Greene County Abstract"), located in Bloomfield, Indiana.
3. On March 17, 2014, Division Senior Examiner Nicole Lotter conducted an examination of Greene County Abstract and found that the agency's title insurance license had expired on January 31, 2014 and that Respondent's title insurance producer license had expired on September 30, 2013.
4. Senior Examiner Lotter found that Respondent had acted as a title insurance producer after her license had expired.

5. Senior Examiner Lotter found that Greene County Abstract owes in excess of eight thousand six hundred dollars (\$8,600.00) in withholding tax to the Indiana Department of Revenue and the tax liabilities are in the warrant stage.

CONCLUSIONS OF LAW

1. An emergency exists in that Respondent has conducted, and continues to conduct, title insurance business without a license and participates in the operation of a title insurance agency in a financially irresponsible manner, contrary to Indiana law.

2. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Ind. Code §4-21.5-4-2(a).

ORDER

It is therefore, ORDERED that Respondent must CEASE AND DESIST from:

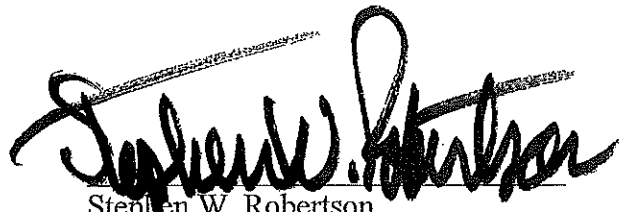
1. All activity as a licensed title insurance producer including the solicitation, negotiation, and sale of insurance.

A copy of this Order will be provided to all title insurance companies with whom Greene County Abstract holds appointments.

Pursuant to Ind. Code §4-21.5-4-2, this order remains effective for ninety (90) days commencing on the date this order is issued.

Respondent is hereby notified of his right to a hearing concerning this order as quickly as practicable under Ind. Code §4-21.5-4-4.

3-25-14
Date


Stephen W. Robertson,
Commissioner
Indiana Department of Insurance

Distribution to:

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