

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE  
CAUSE NUMBER: 14655-AG15-1130-299

Nicholas Boushay )  
10942 Westmore Ln )  
San Diego, CA 92126 )  
Applicant )  
Type of Agency Action: Enforcement )  
Application ID: 503625 )

**FILED**

JAN 08 2016

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”), by counsel, Brigitte R. Collier, and Nicholas Boushay (“Applicant”), an applicant for an Indiana Nonresident Producer’s license, 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’s Producer license shall be placed on probationary status for a period of one (1) year and Respondent shall pay a civil penalty of five hundred dollars (\$500.00),

for his failure to disclose a 2009 license denial by the California Department of Insurance and a 2003 misdemeanor conviction on his application for licensure.

2. The administrative fine shall be stayed during the probationary period. If no further violations arise during said probationary period, the fine amount shall be vacated.
3. The Department agrees to accept this agreement as full resolution of this matter.

ALL OF WHICH IS ORDERED this 8<sup>th</sup> day of January 2016.

  
Stephen W. Robertson,  
Commissioner  
Indiana Department of Insurance

Distribution:

Calla Dain, Insurance Investigator  
**Indiana Department Of Insurance**  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Nicholas Boushay  
10942 Westmore Ln  
San Diego, CA 92126

**Certified Mail Receipt: 91 7190 0005 2720 0053 4597**

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 14655-AG15-1130-299

IN THE MATTER OF:

Nicolas Boushay  
10942 Westmore Ln  
San Diego, CA 92126

Applicant

Type of Agency Action: Enforcement

Application ID: 503625

**FILED**

JAN 08 2016

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, Brigitte R. Collier, and Nicholas Boushay (“Applicant”), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of the Department’s Commissioner, Stephen W. Robertson (“Commissioner”);

WHEREAS, on October 06, 2015, Applicant submitted an application for licensure;

WHEREAS, on the application, Applicant failed to disclose a May 07, 2009 license denial issued by the California Department of Insurance;

WHEREAS, on the application, Applicant also failed to disclose a 2003 misdemeanor conviction for petty theft;

WHEREAS, the Applicant’s actions are in violation of Indiana Code § 27-1-15.6-12(b)(1), which states a producer shall not provide incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, the Department and Applicant (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. Applicant voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Applicant voluntarily and freely waives the right to judicial review of this matter.
5. Applicant's license is granted and shall be placed on a probationary status for a period of one (1) year and Applicant shall be ordered to pay an administrative fine in the amount of Five Hundred Dollars (\$500.00).
6. The administrative fine shall be stayed during the probationary period. If no further violations arise during the said probationary period, the fine amount shall be vacated.
7. Should additional violations manifest, further administrative actions will be taken for the new violation.
8. The Department agrees to accept Applicant's compliance with this agreement as full satisfaction of this matter.
9. Applicant has carefully read and examined this agreement and fully understands and accepts its terms.
10. Applicant has entered into this agreement freely, and has not been subject to duress, threat or undue influence.

10. 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.
11. Applicant is aware that failure to comply with any terms of this agreement will result in the matter being set for a hearing.

1-6-16  
Date Signed

Brigitte Collier  
Brigitte R. Collier, Attorney  
Indiana Department of Insurance

12/11/15  
Date Signed

Nicholas Boushay  
Nicholas Boushay, Applicant

STATE OF CALIFORNIA        )  
  ) SS:  
COUNTY OF \_\_\_\_\_ )

Before me a Notary Public for \_\_\_\_\_ County, State of California personally appeared Nicholas Boushay and being first duly sworn by me upon their oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Signature

*See Attachment*  
\_\_\_\_\_  
Printed

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

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

**Certified Mail Receipt: 91 7190 0005 2720 0052 1511**

# California All-Purpose Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Diego)

On December 11, 2015 before me, Thomas J. Lamontagne, Notary Public  
(insert name and title of the officer)

personally appeared Nicholas A. Boushag,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in  
his/het/their authorized capacity(ies), and that by his/het/their signature(s) on the instrument the  
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

Signature Thomas J. Lamontagne (Seal)

