

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE
CAUSE NO. 15539-AG16-0909-172

IN THE MATTER OF:)
)
First American Title)
251 E. Ohio St., Suite 200)
Indianapolis, IN 46240)
)
Respondent.)
)
Type of Agency Action: Title Enforcement)
Indiana Insurance License No.: 1299930)

FILED

OCT 27 2016

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Indiana Department of Insurance (“Department”), by its counsel, Cathleen Nine-Altevogt, and First American Title (“Respondent”), a resident licensed title insurance agency, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department and which has been submitted to the Commissioner of Insurance (“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:

1. Respondent shall pay an administrative penalty in the amount of one thousand dollars (\$1,000) to the Department for failure to adhere to the Good Funds Law. This amount is due in full within thirty (30) days after the signing of this Final Order.

ALL OF WHICH IS ORDERED this 27 day of October, 2016.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

First American Title
251 E. Ohio St., Suite 200
Indianapolis, IN 46240

Cathleen Nine-Altevogt, Counsel
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

STATE OF INDIANA)
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BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 15539-AG16-0909-172

IN THE MATTER OF:)

First American Title)
251 E. Ohio St., Suite 200)
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Respondent.)

Type of Agency Action: Enforcement)

Indiana Producer License No.: 1299930)

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STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by the Indiana Department of Insurance ("Department"), by counsel, Cathleen Nine-Altevogt, and First American Title, ("Respondent"), a title insurance agency licensed to do business in Indiana, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a resident title insurance agency licensed in the State of Indiana, holding license number 1299930; and

WHEREAS, Indiana Code §§ 27-7-3.7-4(5); 27-7-3.7-7 requires that personal checks not exceed five hundred dollars (\$500) by an agency and an agency may not accept cashier checks that exceed ten thousand dollars (\$10,000);

WHEREAS, Respondent has failed to adhere to the Good Funds Law and accepted and deposited seventy (70) personal checks that exceeded five hundred dollars (\$500) and nine (9) cashier checks that exceeded ten thousand dollars (\$10,000);

WHEREAS, James Nelson, Deputy General Counsel of Operations for First American Title is authorized to act on behalf of Respondent and obligate it to perform in accordance with this agreement;

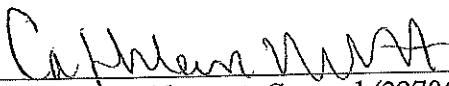
WHEREAS, the Department and Respondent desire to resolve their differences and settle their issues without incurring the time and expense of a hearing;

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

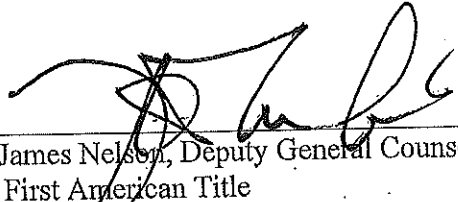
1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives the right to a public hearing in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent agrees to pay an administrative penalty in the amount of one thousand dollars (\$1,000) to the Department within thirty (30) days of the Commissioner's Final Order adopting this Agreed Entry.
6. Nothing in this Agreed Entry will be deemed or asserted to be an admission by First American Title or evidence of any liability and/or wrongdoing.
7. The Department agrees to accept Respondent's compliance with the agreement herein as full satisfaction of this matter.

8. Respondent has carefully read and examined this agreement and fully understands its terms.
9. Respondent 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. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

10-25-16
Date Signed


Cathleen Nine-Altevogt, Counsel (32706-49)
Indiana Department of Insurance

10/13/2016
Date Signed


James Nelson, Deputy General Counsel Operations
First American Title

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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.

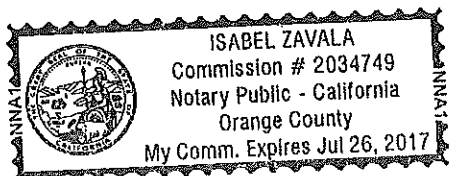
State of California
 County of ORANGE

Subscribed and sworn to (or affirmed) before me
 on this 13 day of October, 2014
 by James Nelson
Date Month Year

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature Isabel Zavala
Signature of Notary Public



Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Agreed Entry Document Date: 10/13/2014
 Number of Pages: three Signer(s) Other Than Named Above: _____