

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 16104-AD17-0417-049

IN THE MATTER OF:

Paul McCarthy
9434 S. 69th East Ave.
Tulsa, OK 74133

Application Number 578368

Applicant

Type of Agency Action: Enforcement

FILED

APR 21 2017

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Indiana Department of Insurance (“Department”), by its counsel, Claire Szpara, and Paul McCarthy (“Applicant”), a non-resident license applicant, signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Applicant’s license application, 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. Applicant's non-resident Indiana producer license shall be issued in probationary status for a period of two (2) years from the date of this Final Order.

ALL OF WHICH IS ORDERED this 21 day of April, 2017.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Claire Szpara
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

Paul McCarthy
9434 S. 69th East Ave.
Tulsa, OK 74133

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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, Claire Szpara, and Paul McCarthy (“Applicant”), a non-resident insurance producer license applicant, to resolve all issues in the above captioned matter. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner for the Indiana Department of Insurance (“Commissioner”).

WHEREAS, Applicant applied for an Indiana non-resident producer license under application number 578368;

WHEREAS, Applicant disclosed a felony conviction of Interstate Transportation of a Stolen Vehicle on October 17, 1969;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(6) states the Commissioner may place an insurance producer on probation for having been convicted of a felony; and

WHEREAS, the Department and Applicant (collectively, the "Parties") desire to resolve their differences and settle the issues without the necessity of an administrative 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 in this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Applicant voluntarily and freely waives his right to a public hearing on this matter.
4. Applicant voluntarily and freely waives his right to judicial review of this matter.
5. Applicant agrees to his license being issued on a probationary status for two (2) years.
6. The Department agrees to accept Applicant's compliance with the terms of this Agreed Entry as full satisfaction of this matter.
7. Applicant has carefully read and examined this Agreed Entry and fully understands its terms.
8. Applicant has entered into this Agreed Entry freely, and has not been subject to duress, threat or undue influence.
9. 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.
10. Respondent is aware that failure to comply with any term of this agreement will result in the matter being set for hearing.

4.19.17
Date Signed

4/18/17
Date Signed

Claire Szpara
Claire Szpara, Attorney
Indiana Department of Insurance

Paul McCarthy
Paul McCarthy, Applicant

STATE OF OKLAHOMA)
) SS:
COUNTY OF TULSA)

Before me a Notary Public for TULSA County, State of Oklahoma, personally appeared Paul McCarthy being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 18 day of APRIL, 2017.

JESSICA L. SYLVESTER
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES OCT. 01, 2017
COMMISSION # 13009123

Jessica L. Sylvester
Signature
JESSICA L SYLVESTER
Printed

My Commission expires: 10.01.17

County of Residence: TULSA

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/232-7138 - telephone
317/232-5251 - facsimile