

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause Number: 16285-BB17-0626-003

IN THE MATTER OF: )  
 )  
Benjamin R Markel )  
127 East Emerald St )  
Elkhart, IN 46514 )  
 )  
Respondent. )  
 )  
Type of Agency Action: Enforcement )  
 )  
License Number: 1031536 )

**FILED**

AUG 24 2017

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance (“Department”), by counsel, Claire Szpara, and Benjamin R Markel (“Respondent”), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent’s bail agent license, 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. Respondent shall pay an administrative penalty in the amount of four thousand dollars (\$4,000), payable within thirty days (30) from the date of this Final Order for failing to carry on the bail bond business in good faith, in violation of Indiana Code § 27-10-3-8(a)(7)(C).

ALL OF WHICH IS ORDERED this 24<sup>th</sup> day of August, 2017.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Claire Szpara, Attorney  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Benjamin R Markel  
127 East Emerald Street  
Elkhart, IN 46514

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STATE OF INDIANA  
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**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 Benjamin R Markel (“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 (“Commissioner”).

WHEREAS, on April 30, 2017, Respondent failed to submit a renewal application for his bail agent license;

WHEREAS, Respondent, from May 1, 2017 through June 4, 2017, completed twenty-one (21) bail bonds while unlicensed.

WHEREAS, Respondent’s conduct is a violation of Indiana Code § 27-10-3-8(a)(7)(C), which states the commissioner shall deny, suspend, revoke, or refuse to renew any license issued under this article for any of the following causes: the licensee is no longer in good faith carrying on the bail bond business, and

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

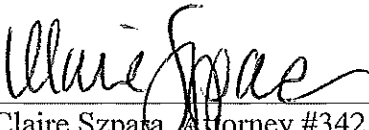
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

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 the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative fine in the amount of four thousand dollars (\$4,000) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
6. The Department agrees to accept Respondent's compliance with this agreement as full satisfaction of this matter.
7. Respondent has carefully read and examined this agreement and fully understands its terms.
8. Respondent has entered into this agreement 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 of the terms of this agreement will result in the matter being set for a hearing.

8-7-17  
Date Signed

  
\_\_\_\_\_  
Claire Szpara, Attorney #34219-64  
Indiana Department of Insurance

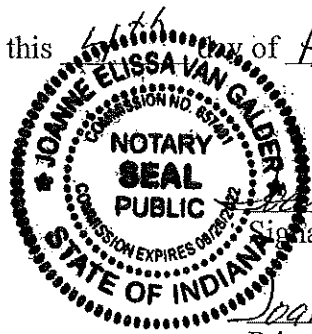
8-4-17  
Date Signed

  
\_\_\_\_\_  
Benjamin R. Markel, Respondent

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

Before me a Notary Public for Elkhart County, State of Indiana,  
personally appeared Benjamin R Markel, 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 14th of August, 2017.



Joanne E. Van Calder  
Signature  
Joanne E. Van Calder  
Printed

My Commission expires: 8/28/2022  
County of Residence: Elkhart