

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17078-AG18-0418-068

IN THE MATTER OF)
)
Derek J. Dunbar)
718 W Main St)
Mitchell, IN 47446)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
Producer's License: 334322)

FILED

APR 27 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Erica J. Dobbs, and Derek J. Dunbar (“Respondent”), a licensed nonresident insurance producer, 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 (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which imposes a civil penalty of two hundred fifty dollars (\$250) for failing to timely report criminal proceedings to the Department, 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 as follows:

1. Respondent shall pay an administrative fine of Two Hundred Fifty Dollars (\$250) within thirty (30) days after the date of this Final Order.
2. The Department agrees to accept this agreement as full resolution of this matter.

ALL OF WHICH IS ORDERED this 27 day of April 2018.



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Erica J. Dobbs, Attorney
ATTN: Calla Dain, Insurance Investigator
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Derek J. Dunbar
718 W Main St
Mitchell, IN 47446

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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, Erica J. Dobbs, and Derek J. Dunbar (“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, Respondent is a licensed resident insurance producer, holding license number 334322;

WHEREAS, on August 24, 2017, Respondent was charged with misdemeanor battery;

WHEREAS, the Initial Hearing in Respondent’s criminal matter was September 5, 2017;

WHEREAS, Respondent did not report the charges to the Department until March 22, 2018;

WHEREAS, Respondent’s conduct is a violation of Indiana Code § 27-1-15.6-12(b)(2)(A), which states, in part, that the Commissioner may levy a civil penalty against an insurance producer for violating an insurance law;

WHEREAS, Indiana Code § 27-1-15.6-17(b) is an insurance law, which states that not more than thirty (30) days after an initial pretrial hearing date, a producer shall report to the Commissioner any criminal prosecution of the producer initiated in any jurisdiction;

and

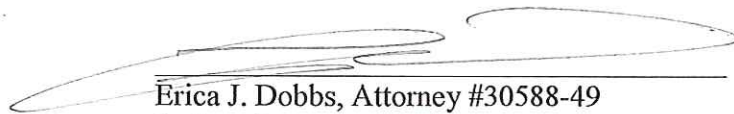
WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

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 a civil penalty of Two Hundred Fifty Dollars (\$250) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
6. Should additional violations manifest, further administrative actions will be taken for the new violation.
7. The Department agrees to accept Respondent's compliance with this agreement 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 of the terms of this agreement will result in the matter being set for a hearing.

4/24/18
Date Signed


Erica J. Dobbs, Attorney #30588-49
Indiana Department of Insurance

4-23-18
Date Signed


Derek J. Dunbar, Respondent

STATE OF INDIANA)
) SS:
COUNTY OF LAWRENCE)

Before me a Notary Public for LAWRENCE County, State of Indiana personally appeared Derek J. Dunbar, 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 23rd day of April, 2018.

Susan G. Johnson
Signature

Susan G. Johnson
Printed

My Commission expires: 10/8/22

County of Residence: LAWRENCE

 **SUSAN G. JOHNSON**
Resident of Lawrence County, IN
Commission Expires: Oct. 08, 2022