

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 17211-AG18-0808-132

IN THE MATTER OF:)
)
Toriano Bagley)
2526 West Tumbleweed Drive)
Phoenix, AZ 85085)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3298532)

FILED

SEP 17 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Indiana Department of Insurance (“Department”), by counsel, Erica J. Dobbs, and Toriano Bagley (“Respondent”), 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 Insurance (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which imposes a two hundred fifty dollar (\$250) civil penalty and places Respondent on probation for two (2) years due to Respondent’s failure to disclose an October 18, 2005 conviction for Endangering a Child, a First Class Misdemeanor, on his 2017 application for licensure, 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 as follows:

1. Respondent shall be placed on probation for two (2) years beginning the date of this Final Order, during which time any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license.
2. Respondent shall pay a civil penalty in the amount of two hundred fifty dollars (\$250) within thirty (30) days of the date of this Final Order.

ALL OF WHICH IS ORDERED this 17 day of September, 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Erica Dobbs, Attorney
ATTN: Taylor Peycha, Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Toriano Bagley
2526 West Tumbleweed Drive
Phoenix, AZ 85085

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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 Toriano Bagley (“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 December 11, 2017, Respondent was granted a nonresident producer’s license;

WHEREAS, Respondent did not disclose any criminal history on his 2017 application for licensure;

WHEREAS, on March 19, 2018, Respondent notified the Department that he had failed to disclose an October 18, 2005 conviction for Endangering a Child, a First Class Misdemeanor, out of the State of Ohio on his application for licensure;

WHEREAS, Respondent's conduct is a violation of Indiana Code § 27-1-15.6-12(b)(1), which states that a producer shall not provide incorrect, misleading, incomplete, or materially untrue information in a license application;

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

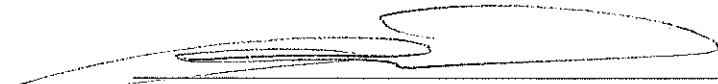
IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

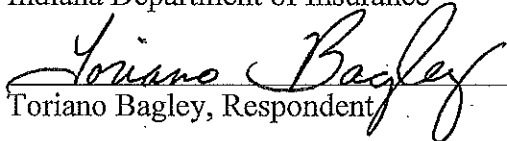
1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. This Agreed Entry is executed voluntarily by the Parties.
3. Respondent voluntarily and freely waives the right to a public hearing on the issues in this matter.
4. Respondent voluntarily and freely waives the right to judicial review of this matter.
5. Respondent shall pay an administrative penalty in the amount of two hundred fifty dollars (\$250) within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
6. Respondent shall be placed on probation for two (2) years, during which time any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license.
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.

9/10/18
Date Signed

9/4/18
Date Signed

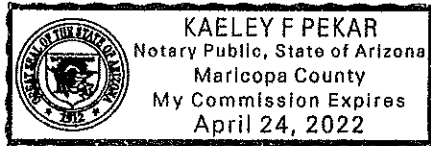

Erica J. Dobbs, Attorney # 30588-49
Indiana Department of Insurance


Toriano Bagley, Respondent

STATE OF ARIZONA)
) SS:
COUNTY OF Maricopa)

Before me a Notary Public for Maricopa County, State of Arizona,
personally appeared Toriano Bagley, 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 4 day of September, 2018.



Kaeley F Pekar
Notary Signature
Kaeley F Pekar
Notary Printed

My Commission expires: 4/24/22

County of Residence: Maricopa