

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 18380-AG19-0808-108

IN THE MATTER OF:)

William Michael Vaughn)
143 50th Terrace N,)
Saint Petersburg, FL 33703)

Respondent.)

License Number: 3406541)

Type of Agency Action: Enforcement)

FILED

MAR 06 2020

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by its counsel, Victoria Hastings, and William Michael Vaughn ("Respondent"), a resident insurance producer licensed to do business in Indiana, 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 (the "Commissioner") for approval.

The Commissioner, after reviewing the Agreed Entry, which accepts Respondent's surrender of his resident producer license and agreement not to reapply for licensure, due to Respondent's failure to disclose his full criminal history, including multiple felony convictions, and for his misleading representations for the disclosures that were made on his application, 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 resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent shall surrender his resident producer's license #340654 and all authority Respondent has to conduct insurance business in the State of Indiana.
2. Respondent's surrender of his resident producer's license #340654 is accepted, effective the date of this Final Order.
3. Respondent shall not reapply for licensure.

3-6-2020

Dated

A handwritten signature in black ink, appearing to read "Stephen W. Robertson", written over a horizontal line.

Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Victoria Hastings
ATTN: Dennis Wood, Supervising Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

William Michael Vaughn
143 50th Terrace N,
Saint Petersburg, FL 33703

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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, Victoria Hastings, and William Michael Vaughn ("Respondent"), a resident insurance producer 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 for the Indiana Department of Insurance ("Commissioner").

WHEREAS, Respondent is a licensed Indiana resident insurance producer, holding license number 3406541 since January 9, 2019;

WHEREAS, on Respondent's January 7, 2019, license application, Respondent answered "yes" to the question that asks "have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony";

WHEREAS, Respondent attached two (2) documents to his January 7, 2019, application for licensure;

WHEREAS, those documents included: a docket sheet showing six (6) Florida convictions from December 4, 2007, from Hernando County, Florida for: Possession of a Controlled Substance, a 3rd Degree Felony; Possession of Paraphernalia, a 1st Degree Misdemeanor; Driving with a Suspended License, a 3rd Degree Felony; and three (3) counts of Fraudulent Use of Identification Information, a 3rd Degree Felony; and an Order to Dismiss filed on July 2, 2013;

WHEREAS, After Respondent's license was issued on January 9, 2019, the Department was contacted by the Pennsylvania Department of Insurance ("PDOI");

WHEREAS, due to PDOI's inquiry, the Department investigated Respondent's background in more detail, and discovered the following previously undisclosed criminal convictions for Respondent, including multiple felony convictions:

- a) Convictions from August 31, 2005, from Hillsborough County, Florida:
 - i. Possession of a Controlled Substance, a 3rd Degree Felony; and
 - ii. Obtaining Property for a Worthless Check, a 3rd Degree Felony;
- b) Conviction from October 23, 2008, from Citrus County, Florida:
 - i. Passing Forged or Altered Bank Bill/ Note/ Check/ Draft, a 3rd Degree Felony;
- c) Conviction from April 13, 2010, from Hillsborough County, Florida:
 - i. Possession of a Controlled Substance, a 3rd Degree Felony;

WHEREAS, the Department has determined that none of these undisclosed convictions have been dismissed or expunged;

WHEREAS, the December 4, 2007, Hernando County, Florida convictions were the only convictions disclosed on Respondent's application;

WHEREAS, the dismissal paperwork provided by Respondent on his application, appears to pertain to a probation violation in the Citrus County case, but does not provide any information as to the charges or conviction;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(1) states, in part, that the Commissioner may revoke a producer's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(3) states, in part, that the Commissioner may revoke a producer's license for obtaining or attempting to obtain a license through misrepresentation or fraud;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(6) states, in part, that the Commissioner may revoke a producer's license for having been convicted of a felony;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may revoke an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere; and

WHEREAS, the Department and Respondent (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 to this Agreed Entry.
2. In order to avoid formal litigation in this matter, Respondent has determined that it is in his best interests to enter into this Agreed Entry. As such,

Respondent acknowledges that he executes this Agreed Entry with full realization of its contents and effects.

3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter.
4. Respondent knowingly, voluntarily and freely waives the right to a public hearing on this matter, including the right to appear in person before the Commissioner, present evidence, cross-examine witnesses, and present arguments.
5. Respondent knowingly, voluntarily and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Respondent knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any act or omission as part of the underlying audit, investigation, negotiation, or approval process.
7. Respondent agrees to surrender his Indiana resident producer's license number 3406541, and all authority Respondent has to conduct insurance business in the state of Indiana, effective immediately upon the date the Commissioner executes the Final Order adopting this Agreed Entry.
8. Respondent shall not reapply for licensure.


9. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.
10. Respondent has had the opportunity to have this Agreed Entry reviewed by legal counsel of his choosing, at his own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Respondent understands and agrees that the Department cannot give him legal advice.
11. Respondent has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
12. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent or other representative thereof to induce Respondent to enter this Agreed Entry.
13. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Respondent complies with the terms of this Agreed Entry, the Department will not bring any further action against Respondent based on the facts that gave rise to this Agreed Entry.
14. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12.
15. Respondent waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.

16. Respondent acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Respondent to enforce the terms and conditions contained herein.
17. Respondent understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Respondent.
18. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Respondent.
19. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
20. 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 or Respondent from further participation in or resolution of these proceedings.
21. If this Agreed Entry is accepted by the Commissioner, it will become part of Respondent's permanent record and may be considered in future actions brought by the Department or any other regulator against Respondent. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public, and

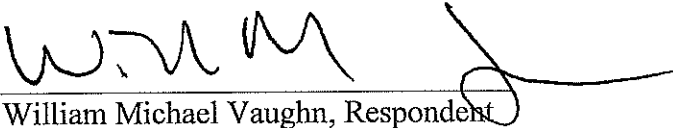
may be reported to the National Association of Insurance Commissioners and published on the Department's website as required.

22. Respondent acknowledges that this is an Administrative Action he may be required to report to other jurisdictions in which he is licensed and on future licensing applications.

3/5/2020
Date Signed


Victoria Hastings, # 34052-29
Attorney for the Indiana Department of Insurance

2-29-2020
Date Signed


William Michael Vaughn, Respondent

STATE OF FLORIDA)
) SS:
COUNTY OF Pinellas)

Before me a Notary Public for Pinellas County, State of Florida, personally appeared William Michael Vaughn being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 29th day of February, 2020.



Christopher Wood
State of Florida
My Commission Expires 06/01/2021
Commission No. GG 110570

[Signature]
Signature

Christopher Wood
Printed

My Commission expires: 06/01/2021

County of Residence: Pinellas

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/233-4243 - telephone
317/232-5251 – facsimile

RECEIVED

MAY 11 2021

STATE OF INDIANA
DEPT OF INSURANCE