

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 18706-AG19-1015-149

IN THE MATTER OF:)
)
Maria Lopez-Saldana)
509 Larch Lane,)
Fort Wayne, IN 46825)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 3373297)

FILED

JAN 24 2020

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Maria Lopez-Saldana (“Respondent”), a licensed resident 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 (the “Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which revokes Respondent’s resident producer license for having a conviction from September 16, 2019 for Neglect of a Dependent, a Level 6 Felony, in Allen County, Indiana, and for Respondent’s failure to timely notify the Department about her criminal prosecution, 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's nonresident producer license number 3373297 shall be revoked, effective the date of this Final Order.
2. Respondent shall not reapply for licensure for five (5) years from the effective date of this Final Order.

1-24-2020

Dated



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Maria Lopez-Saldana
509 Larch Lane,
Fort Wayne, IN 46825

Victoria Hastings, Attorney
ATTN: Melissa Higgins, Senior Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

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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 Maria Lopez-Saldana (“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 an active license number 3373297 since September 12, 2018;

WHEREAS, on March 25, 2019, Respondent was charged with five (5) felonies in Allen County, Indiana;

WHEREAS, on or about April 2, 2019, Respondent had her initial hearing in the criminal prosecution;

WHEREAS, on September 16, 2019, Respondent pled guilty to and was convicted of Neglect of a Dependent, a Level 6 Felony, in Allen County, Indiana, with the remaining felonies being dismissed;

WHEREAS, Respondent did not notify the Department about the criminal prosecution or her conviction until October 3, 2019;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(2)(A) states, in part, that the Commissioner may revoke an insurance producer's license for violating an insurance law;

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

WHEREAS, Indiana Code § 27-1-15.6-12(b)(6) states, in part, that the Commissioner may revoke an insurance producer's license for having been convicted of a felony; 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. In order to avoid formal litigation in this matter, Respondent has determined that it is in her best interests to enter into this Agreed Entry. As such, Respondent acknowledges that she 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's Indiana resident producer's license number 3373297 shall be revoked along with all authority Respondent has to conduct insurance business in the State of Indiana, effective immediately upon the Commissioner execution of the Final Order adopting this Agreed Entry.
8. Respondent shall not reapply for licensure for five (5) years.
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 her choosing, at her 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 her 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 she is licensed and on future licensing applications.

1/17/2020
Date Signed


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

12/2/19
Date Signed


Maria Lopez-Saldana, Respondent

STATE OF INDIANA)
COUNTY OF Allen) SS:

Before me a Notary Public for Allen County, State of Indiana personally appeared Maria Lopez-Saldana, and being first duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

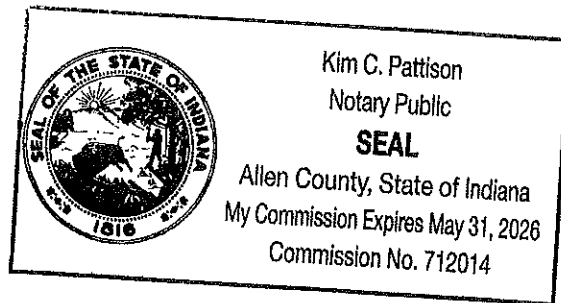
Signed and sealed this 2nd day of December, 2019.

Kim C. Pattison
Signature

Kim C. Pattison
Printed

My Commission expires: 5/31/26

County of Residence: Allen



Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/234-5885 - telephone
317/234-2103- facsimile