

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

**BEFORE THE INDIANA
 COMMISSIONER OF INSURANCE**

CAUSE NO.: 19830-AG20-1106-200

IN THE MATTER OF:)

Jennifer Lee Miller)
11098 Niagara Drive,)
Fishers, IN 46037)

FILED

JAN 20 2021

Respondent.)

STATE OF INDIANA
 DEPT. OF INSURANCE

Type of Agency Action: Enforcement)

License Number: 529217)

FINAL ORDER


The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Jennifer Lee Miller (“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 (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which imposes a five hundred dollar (\$500) civil penalty against Respondent for having failed to timely report two (2) criminal convictions, and for having failed to disclose the same on a license application to add a qualification, 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 as follows:

1. Respondent shall pay a civil penalty in the amount of five hundred dollars (\$500), to the Department within thirty (30) days after the Commissioner signs this Final Order.

1-20-2021
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Jennifer Lee Miller
11098 Niagara Drive
Fishers, IN 46037

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Investigator
Indiana Department of Insurance
311 West Washington Street, Suite 300
Indianapolis, IN 46204

STATE OF INDIANA)
) SS:
 COUNTY OF MARION)

IN THE MATTER OF:)
)
 Jennifer Lee Miller)
 11098 Niagara Drive,)
 Fishers, IN 46037)
 Respondent.)
 Type of Agency Action: Enforcement)
 License Number: 529217)

BEFORE THE INDIANA
 COMMISSIONER OF INSURANCE

CAUSE NO.: 19830-AG20-1106-200

FILED
 JAN 20 2021
 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 Jennifer Lee Miller (“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 529217 since March 12, 2007;

WHEREAS, Respondent was convicted of Possession of a Controlled Substance, a Class A Misdemeanor on July 30, 2010;

WHEREAS, Respondent was convicted of Public Intoxication, a Class B Misdemeanor on June 23, 2012;

WHEREAS, Respondent failed to report both of her criminal convictions to the Department within thirty days of the initial pre-trial hearing;

WHEREAS, Respondent's submitted application number 805859 to add a qualification on November 10, 2020;

WHEREAS, on Respondent's license application to add a qualification, Respondent failed to disclose her prior criminal convictions;

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

WHEREAS, Indiana Code § 27-1-15.6-12(b)(2)(A), states, in part, that the Commissioner may levy a civil penalty for violating an insurance law;

WHEREAS, Indiana Code § 27-1-15.6-7(b) is an insurance law, that states in part, 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. In order to avoid formal litigation in this matter, Respondent has determined that it is in her best interest 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 shall pay a civil penalty in the amount of five hundred dollars (\$500) to the Department within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry.
8. Respondent has carefully read and examined this Agreed Entry and fully understands its terms.

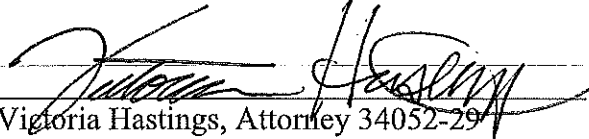
9. Respondent has had the opportunity to have this Agreed Entry reviewed by legal counsel of her choosing, at her own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Respondent understands and agrees that the Department cannot give her legal advice.
10. Respondent has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
11. 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.
12. 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.
13. 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.
14. Respondent waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.

15. 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.
16. 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.
17. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Respondent.
18. 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.
19. 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.
20. 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

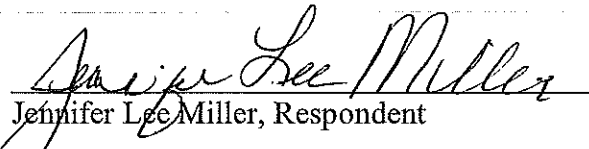
may be reported to the National Association of Insurance Commissioners
and published on the Department's website as required.

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

1/5/2021
Date Signed


Victoria Hastings, Attorney 34052-29
Indiana Department of Insurance

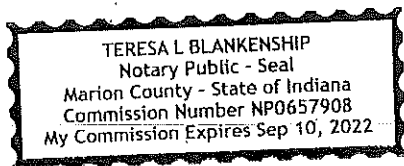
12-23-2020
Date Signed


Jennifer Lee Miller, Respondent

STATE OF INDIANA)
COUNTY OF Hamilton) SS:

Before me a Notary Public for Marion County, State of Indiana,
personally appeared Jennifer Lee Miller 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 23rd day of Dec, 2020.



Teresa L Blankenship
Signature

Teresa L Blankenship
Printed

My Commission expires: 9-10-22

County of Residence: Marion

Return executed originals to:
INDIANA DEPARTMENT OF INSURANCE
Enforcement Division, Suite 103
311 West Washington Street
Indianapolis, IN 46204-2787
317/234-5883 - telephone
317/234-2103 - facsimile

NO COPY...
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