STATE OF INDIANA	)	**BEFORE THE INDIANA**
	) SS:	**COMMISSIONER OF INSURANCE**
COUNTY OF MARION	)	
		CAUSE NO.: 21093-PA21-1203-002
IN THE MATTER OF:	)	
	)	
Van H. Do	)	
912 Mohawk Dr.	)	
Fort Branch, IN 47648	)	
	)	
Applicant.	)	
	)	
Type of Agency Action: Enforcement	)	
	)	
Application Number: 930810	)	

FILED

JAN 28 2022

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

The Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Victoria Hastings, and Van H. Do ("Applicant"), a resident public adjuster applicant, 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 levies a Five Hundred Dollar ($500) civil penalty against Applicant for failing to disclose two (2) misdemeanor convictions on his 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, 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. Applicant's resident public adjuster certificate of authority shall be granted contingent upon Applicant timely paying the civil penalty. Applicant shall pay a civil penalty in the amount of Five Hundred Dollars ($500) to the Department within thirty (30) days after the date of this Final Order. Failure to timely pay the civil penalty, may result in the Department denying Applicant's resident public adjuster certificate of authority.

1/28/22
Date Signed

Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

Victoria Hastings, Attorney
ATTN: Calla Dain, Insurance Investigator
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Van H. Do
912 Mohawk Dr.
Fort Branch, IN 47648

STATE OF INDIANA	)	**BEFORE THE INDIANA COMMISSIONER OF INSURANCE**
	) SS:	
COUNTY OF MARION	)	**CAUSE NO.: 21093-PA21-1203-002**
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FILED

JAN 28 2022

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 Van H. Do ("Applicant"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Amy L. Beard, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, on November 17, 2021 Applicant submitted his application for a resident public adjuster's certificate of authority;

WHEREAS, on that application, Applicant failed to disclose his August 19, 2020 convictions for Possession of Marijuana, a Class B Misdemeanor, and Possession of Paraphernalia, a Class C Misdemeanor;

WHEREAS, Indiana Code § 27-1-27-7.1(b)(1) states, in part, that the Commissioner may levy a civil penalty against a public adjuster for providing incorrect, misleading, incomplete, or materially untrue information in an application for a certificate of authority; and

WHEREAS, the Department and Applicant (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, Applicant has determined that it is in his best interest to enter into this Agreed Entry. As such, Applicant 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. Applicant 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. Applicant 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. Applicant 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. Applicant's resident public adjuster certificate of authority shall be approved contingent upon Applicant timely paying the civil penalty. Applicant 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. Failure to timely pay the civil penalty, may result in the Department denying Applicant's license application.

8. Applicant has carefully read and examined this Agreed Entry and fully understands its terms.

9. Applicant 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. Applicant understands and agrees that the Department cannot give him legal advice.

10. Applicant 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 Applicant to enter this Agreed Entry.

12. The Department agrees to accept Applicant's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Applicant complies with the terms of this Agreed Entry, the Department

will not bring any further action against Applicant 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 § 27-1-27-7.1.

14. Applicant waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.

15. Applicant acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Applicant to enforce the terms and conditions contained herein.

16. Applicant 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 Applicant.

17. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Applicant.

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 Applicant from further participation in or resolution of these proceedings.

20. If this Agreed Entry is accepted by the Commissioner, it will become part of Applicant's permanent record and may be considered in future actions brought by the Department or any other regulator against Applicant. 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. Applicant 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.

1/26/2022
Date Signed

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

1/25/2022
Date Signed

Van H. Do, Applicant

STATE OF INDIANA)
) SS:
COUNTY OF GIBSON)

MARY CHAMBERLAIN
Resident of Vanderburgh County, IN
Commission Expires: May 23, 2026
Commission # 713773

Before me a Notary Public for GIBSON County, State of Indiana, personally appeared Van H. Do, 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 25TH day of JANUARY, 2022.

Mary Chamberlain
Signature

MARY CHAMBERLAIN
Printed

My Commission expires: 5/23/2026

County of Residence: GIBSON