

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 21402-AG22-0408-062

IN THE MATTER OF:

Carolyn M. Rupp  
4952 E. Tudor Rose Glen Rd.  
Stockton, CA 95212

Respondent.

Type of Agency Action: Enforcement

License Number: 3312771

**FILED**

**JUN 30 2022**

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Victoria Hastings, and Carolyn M. Rupp (“Respondent”), a nonresident 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 Two Hundred Fifty Dollar (\$250) civil penalty against Respondent due to Respondent’s failure to timely report an administrative action to the Department, 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. Respondent's nonresident producer renewal license application shall be approved contingent upon Respondent's timely payment of a civil penalty.
2. Respondent shall pay a civil penalty in the amount of Two Hundred Fifty Dollars (\$250) to the Department due within thirty (30) days after the Commissioner signs this Final Order. Failure to timely pay the civil penalty may result in the Department taking an administrative action against Respondent's nonresident producer license.

6130122

Dated



Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution:

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

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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 Carolyn M. Rupp ("Respondent"), 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, Respondent is a licensed nonresident insurance producer, holding license number 3312771 since February 9, 2018;

WHEREAS, on December 4, 2020, Respondent was issued a Consent Order by the Texas Department of Insurance;

WHEREAS, Respondent failed to timely report her Texas administrative action to the Department;

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

WHEREAS, Indiana Code § 27-1-15.6-17(a), which is an insurance law that states: a producer shall report to the Commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in Indiana not more than thirty (30) days after the final disposition of the matter; 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 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's nonresident producer renewal license application shall be approved contingent upon Respondent's timely payment of a civil penalty. Respondent shall pay a civil penalty in the amount of Two Hundred Fifty Dollars (\$250) 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 taking an administrative action against Respondent's nonresident producer license.
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.

6/27/2022  
Date Signed

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

6-7-2022  
Date Signed

Carolyn M Rupp  
Carolyn M. Rupp, Respondent



STATE OF CALIFORNIA.

COUNTY OF \_\_\_\_\_

)  
) SS:  
)

Before me a Notary Public for \_\_\_\_\_ County, State of California,  
personally appeared Carolyn M. Rupp, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2022.

*See attached*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed

My Commission expires: \_\_\_\_\_

County of Residence: \_\_\_\_\_

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

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of San Joaquin

Subscribed and sworn to (or affirmed) before me on this 7th  
day of JUNE, 2022, by Carolyn M. Rupp

proved to me on the basis of satisfactory evidence to be the  
person(s) who appeared before me.



LISA GUERRERO  
COMM # 2350991  
San Joaquin County  
California Notary Public  
Comm Exp April 7, 2025

(Seal)

Signature

Lisa Guerrero