

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21124-AG21-1208-235

IN THE MATTER OF:)
)
Ron Whittingham)
15321 S. 94th Ave Ste 100)
Orland Park, IL 60462-3977)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 774756)

FILED

AUG 16 2022

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

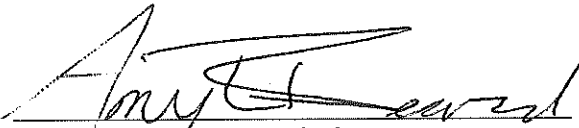
The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Samantha Aldridge, and Ron Whittingham (“Respondent”), a licensed nonresident insurance producer, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which revokes Respondent’s nonresident producer’s license for ten (10) years, 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 license number 774756 shall be revoked, effective the date of this Final Order.
2. Respondent shall not reapply for licensure for ten (10) years thereafter.
3. This final order is issued under Ind. Code § 4-21.5-3-34(d) and must be filed in the administrative proceeding within thirty (30) days. The administrative proceeding related to this final order will remain open until closed by the administrative law judge.

8-16-22
Date Signed


Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

Samantha Aldridge, Attorney
ATTN: Phil Holleman, Insurance Investigator
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Alan M. Wolper, Attorney
RE: Ron Whittingham
500 W. Madison St, Ste 3600
Chicago, IL 60661

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CAUSE NO.: 21124-AG21-1208-235

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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, Samantha Aldridge, and Ron Whittingham (“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 774756 since September 7, 2011;

WHEREAS, Respondent’s license expired on November 30, 2022;

WHEREAS, on October 28, 2021, the Financial Industry Regulatory Authority (FINRA) accepted a Letter of Acceptance, Waiver, and Consent in which Respondent, without admitting or denying the findings, consented to a fine of five thousand dollars (\$5,000) and a three-month suspension of all registration capacities relating to findings that he falsified twenty-two (22) variable annuities (VA) replacement disclosure forms, which he submitted to his employer at the time, LPL Financial;

WHEREAS, Indiana Code §27-1-15.6-12(b)(5) states, in part, that the Commissioner may reprimand, levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, revoke an insurance producer's license for intentionally misrepresenting the terms of an actual proposed insurance contract or application for insurance;

WHEREAS, Indiana Code §27-1-15.6-12(b)(8) states, in part, that the Commissioner may reprimand, levy a civil penalty, place an insurance producer on probation, suspend an insurance producer's license, 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;

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 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's nonresident producer's license #774756, shall be surrendered, along with all authority Respondent has to conduct insurance business in the state of Indiana, effective the date on which the Commissioner signs the Final Order adopting this Agreed Entry.
8. Respondent shall not reapply for licensure to conduct insurance business in the state of Indiana for a period of ten (10) years thereafter.
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.

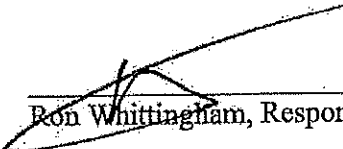
20. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not unfairly or illegally prejudice the Commissioner or Respondent from further participation in or resolution of these proceedings.
21. 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.

8/9/22
Date Signed



Samantha Aldridge, Attorney #35162-49
Indiana Department of Insurance

08-08-2022
Date Signed



Ron Whittingham, Respondent

STATE OF ILLINOIS)
) SS:
COUNTY OF Cook)

Before me a Notary Public for Cook County, State of Illinois, personally appeared Ron Whittingham, 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 9th day of August, 2022.



Lorri A. Whittingham-Derby
Signature
Lorri A Whittingham-Derby
Printed

My Commission expires: 09-03-24

County of Residence: Will