

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21861-AG22-1007-177

IN THE MATTER OF:)
)
Dante Montoya)
624 Yale Ave.)
Apt. 822 B3)
Seattle, WA 98109)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 993435)

FILED

MAR 30 2023

STATE OF INDIANA
DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Indiana Department of Insurance (“Department”), by counsel Samantha Aldridge, and Dante Montoya (“Applicant”), to resolve all issues in the above cause number. This Agreed Entry is subject to the review and approval of the Department’s Commissioner, Amy Beard.

WHEREAS, Applicant submitted an application for nonresident producer license in the State of Indiana on or about September 27, 2022;

WHEREAS, on the license application, Applicant failed to disclose a regulatory action on December 5th, 2018, from the Commissioner of California to deny Applicant’s life-only, and accident and health licensure, and issued restricted licenses.

WHEREAS, Applicant’s conduct, as alleged herein, constitutes a violation of Indiana Code §27-1-15.6-12(b)(1) which states that the Commissioner may levy a civil penalty for providing incorrect, misleading, incomplete, or materially untrue information in a license application; and

WHEREAS, the Department and Applicant desire to resolve their differences and settle the issues 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.

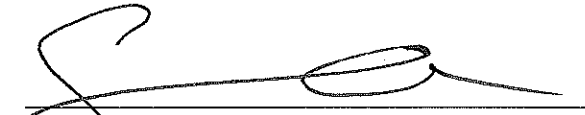
7. Applicant's Indiana nonresident producer license shall be approved contingent upon Applicant's timely payment of the civil penalty. Applicant shall pay a civil penalty in the amount of two hundred fifty dollars (\$250) to the Department within thirty (30) days after the Commissioner signs the Final Order adopting this Agreed Entry. Failure to timely pay the civil penalty may result in the Department denying Applicant's application for nonresident producer license.
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 § 27-1-15.6-12.
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.

3/21/23
Date Signed


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

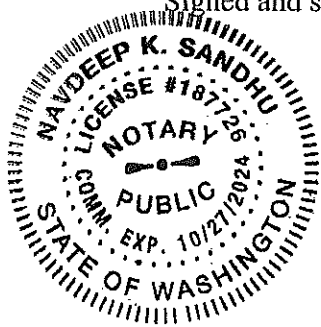
03/10/2023
Date Signed


Dante Montoya, Applicant

STATE OF WASHINGTON)
) SS:
COUNTY OF King)

Before me a Notary Public for King County, State of Washington,
personally appeared Dante Montoya, 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 10th day of March, 2023



Navdeep K Sandhu .
Signature

Navdeep K Sandhu .
Printed

My Commission expires: Oct 27, 2024

County of Residence: King

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FINAL ORDER AND APPROVAL

The Indiana Department of Insurance (“Department”) and Dante Montoya (“Applicant”) signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Applicant’s license application, and which has been submitted to the Commissioner of Insurance (the “Commissioner”) for approval.

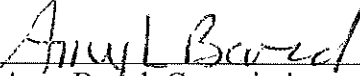
The Commissioner, after reviewing the Agreed Entry, which imposes a civil penalty in the amount of two hundred fifty dollars (\$250) due to Applicant’s failure to disclose his administrative action history, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry 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, ADJUDGED AND DECREED by the Commissioner of

Insurance:

1. Applicant's nonresident producer license shall be granted, and Applicant shall pay a fine in the amount of two hundred and fifty dollars (\$250.00) within thirty (30) days from the date of this Final Order. Failure to pay the fine will result in the Department seeking immediate revocation of Applicant's license.

ALL OF WHICH IS ORDERED this 30 day of March, 2023.



Amy Beard, Commissioner
Indiana Department of Insurance

Distribution:

Samantha Aldridge
ATTN: Tina Harris, Investigator
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311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

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