

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21956-IA22-1122-014

IN THE MATTER OF:)
)
Charles W. Stoll)
1240 Clover Lane)
Hoffman Estates, IL 60192)
Respondent.)
Type of Agency Action: Enforcement)
License Number: 998287)

FILED
FEB 01 2024
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER


The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Samantha Aldridge, and Charles W. Stoll (“Respondent”), a licensed nonresident independent adjuster, 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, Respondent’s nonresident independent adjuster license shall be renewed contingent upon placing Respondent on a two (2) year probation due to having failed to report Respondent’s November 5, 2020 New York Stipulation Order for acting as an independent adjuster without a license to the Department within thirty (30), 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 independent adjusters license shall be renewed and placed on probation for a period of 2 years, beginning the date the Commissioner signs this Final Order.
3. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license.

Feb. 1, 2024
Date Signed



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution:

Samantha Aldridge, Attorney
ATTN: Hana Biele, Investigator
Enforcement Division
Indiana Department of Insurance
311 West Washington St, Suite 103
Indianapolis, Indiana 46204-2787

Charles W. Stoll
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Hoffman Estates, IL 60192

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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 Charles W. Stoll (“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 licensed as a nonresident independent adjuster, holding license number 998287 since November 12, 2014;

WHEREAS, on August 31, 2022, Respondent submitted his renewal application for a nonresident independent adjuster license;

WHEREAS, on November 5, 2020, the New York State Department of Financial Services issued Respondent a Stipulation Order for acting as an independent adjuster without licensure;

WHEREAS, Respondent failed to report the New York administrative action to the Department within thirty (30) days after the final disposition of the matter;

WHEREAS, Indiana Code §27-1-28-18(b)(2) authorizes the Commissioner to place an independent adjuster on probation for violating an insurance law;

WHEREAS, Indiana Code § 27-1-28-22(a)(1) is an insurance law that states, in part, an independent adjuster shall report to the commissioner an administrative action taken against the independent adjuster in another jurisdiction 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 that it is in his best interest 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 independent adjuster license shall be renewed and shall be placed on probation for a period of two (2) years beginning the date the Commissioner signs the Final Order adopting this Agreed Entry. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's 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 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.
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.

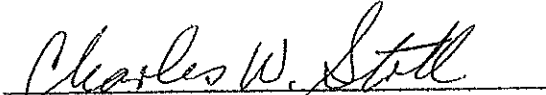
12. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full satisfaction of this matter and warrants and represents that so long as Respondent complies with the terms of this Agreed Entry, the Department will not bring any further action against Respondent 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 § 27-1-28-18.
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 he may be required to report to other jurisdictions in which he is licensed and on future licensing applications.

1/25/24
Date Signed

1/5/24
Date Signed


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


Charles W. Stoll, Respondent

STATE OF ILLINOIS)
) SS:
COUNTY OF Kane)

Before me a Notary Public for Kane County, State of Illinois,
personally appeared Charles W. Stoll, 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 5th day of January, 2024.



[Signature]
Signature
Aaron Menchaca
Printed

My Commission expires: July 7, 2027

County of Residence: Kane