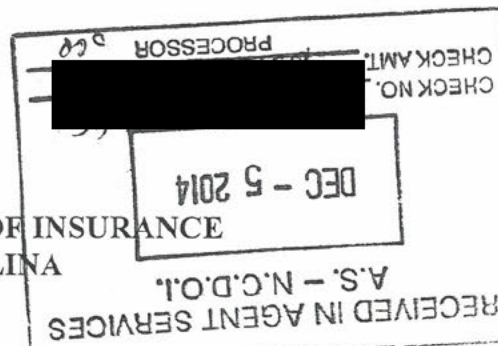


NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA



STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER OF
INSURANCE

104227

IN THE MATTER OF THE
LICENSURE OF
CLARENCE EUGENE BAKER, JR.
LICENSE NO. 0008392459

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME, Clarence Eugene Baker, Jr. (hereinafter "Mr. Baker") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"):

WHEREAS, the Department has the authority and responsibility for enforcement of insurance laws of this State, and for regulating and licensing bail bondsmen; and

WHEREAS, Mr. Baker holds an active license as a professional bail bondsman issued by the Department; and

WHEREAS, N.C. Gen. Stat. § 58-71-175 provides that no bailbondsmen shall become liable on any bond or multiple of bonds for any one individual that totals more than one-fourth of the value of securities deposited with the Commissioner at that time, until final termination of liability on such bond or multiple of bonds; and

WHEREAS, the Agent Services Division of the NC Department of Insurance notified Mr. Baker by letter dated July 3, 2014 that it had liquidated his security deposit account in the amount of \$5,046.08 to satisfy outstanding bond forfeitures to Alexander and Caldwell counties, it was determined that Mr. Baker's security deposit account was deficient in that Mr. Baker wrote a bond on one individual, Jeremy Cruz, which represented more than one-fourth the value of his security deposit with the Department, a violation of N.C. Gen. Stat. § 58-71-175; and

WHEREAS, Mr. Baker subsequently increased the amount of his security deposit with the Department to meet the requirements of N.C. Gen. Stat. § 58-71-175; and

WHEREAS, Mr. Baker's violation of N.C. Gen. Stat. §§ 58-71-175 demonstrates a failure to comply with and/or a violation of the provisions of Article 71 of Chapter 58 of the

North Carolina General Statutes for which Mr. Baker's professional bondsman license could be revoked, suspended or not renewed pursuant to N.C. Gen Stat. § 58-71-80(a)(7); and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), the Commissioner may deny, suspend, revoke, or refuse to renew any license under Article 71 of Chapter 58 of the North Carolina General Statutes for failure to comply with or violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes or of any order, rule or regulation of the Commissioner; and

WHEREAS, Mr. Baker admits to the violation set out herein; and

WHEREAS, in lieu of an administrative hearing on the matters stated herein, Mr. Baker has agreed to settle, compromise, and resolve the matters referenced in this Agreement, and the Department has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against Mr. Baker; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have the express authority to negotiate a mutually acceptable agreement with any person as to the status of the person's license or certificate or as to any civil penalty or restitution; and

NOW, THEREFORE, in consideration of the promises and agreements set out herein, the Department and Mr. Baker hereby agree to the following:

1. Immediately upon his signing of this document, Mr. Baker shall pay a **civil penalty of \$250.00** to the Department. The form of payment shall be in a certified check, cashier's check or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Mr. Baker shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Mr. Baker. The civil penalty and the signed Agreement must be received by the Department no later than **January, 14, 2015**. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of the public schools.

2. Mr. Baker shall obey all laws and regulations applicable to all licenses issued to him.

3. Mr. Baker enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Baker understands that he may consult with an attorney prior to entering into this Agreement.

4. This Agreement does not in any way affect the Department's disciplinary power

in any future follow-up examinations of Mr. Baker, or in any other cases or complaints involving Mr. Baker.

5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Baker understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a surety bondsman's license may be revoked for violating an Order of the Commissioner.

6. This Voluntary Settlement Agreement, when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect that Regulatory Action has been taken against the licensee following the execution of this Agreement. The Department is free to disclose the contents of this Agreement to third parties upon request or pursuant to any law or policy providing for such disclosure. The Department routinely provides copies of voluntary settlement agreements to all companies that have appointed the licensee.

7. This Settlement Agreement shall become effective when signed by Mr. Baker and the Department.

This the 5th day of Dec, December, 2014, ~~2015~~.

North Carolina Department of Insurance

[Redacted Signature]

By: Clarence Eugene Baker, Jr.
License No. 0008392459

[Redacted Signature]

By: Angela Ford
Senior Deputy Commissioner

12-5-14