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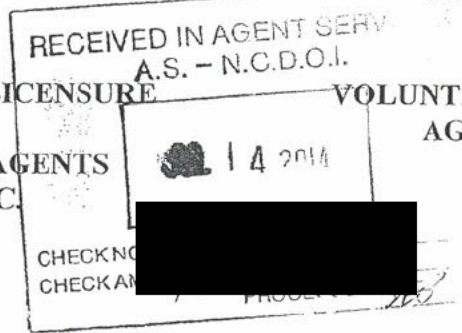
NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER
OF INSURANCE

IN THE MATTER OF THE LICENSURE
OF BARRY ZIMMERMAN
(NPN No. 8619092) AND BG AGENTS
INSURANCE SERVICES, INC.
(NPN 13901906)

VOLUNTARY SETTLEMENT
AGREEMENT



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NOW COME Barry Zimmerman (hereinafter "Mr. Zimmerman"), and his firm, BG Agents Insurance Services, Inc. and the North Carolina Department of Insurance (hereinafter the 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 the insurance laws of this State, and for regulating and licensing insurance agents; and

WHEREAS, Mr. Zimmerman is a California resident, and he holds a Non-Resident Producer license issued by this Department; and

WHEREAS, Mr. Zimmerman is President and Chief Executive Officer of B.G. Agents Insurance Services, Inc., located in Newport Beach, California and Mr. Zimmerman bears reporting responsibility for B.G. Agents Insurance Services to the Department; and

WHEREAS, B.G. Agents Insurance Services, Inc., holds a non-resident business entity license issued by the Department; and

WHEREAS, on Sept. 10, 2010 Mr. Zimmermann was subjected to administrative action by the New York Department of Financial Services for late reporting of a March 5, 2008 action by the California Department of Insurance; and

WHEREAS, the Sept. 10, 2010 New York administrative action was not reported to the Department until November 29, 2011; and

WHEREAS, on December 19, 2011, the North Dakota Department of Insurance denied Mr. Zimmerman's application for license, which is considered an administrative action; and

WHEREAS, the December 19, 2011, the North Dakota administrative action was not reported to

the Department until February 27, 2012; and

WHEREAS, on December 12, 2012 the Florida Department of Financial Services denied Mr. Zimmerman's application for license, which is considered an administrative action; and

WHEREAS, the December 12, 2012 Florida administrative action was not reported to the Department until August 7, 2013; and

WHEREAS, on January 7, 2014, Mr. Zimmerman was subjected to an administrative action by the New York Department of Financial Services for late reporting of the denial of his application for licensure by the Florida Department of Financial Services on December 12, 2012; and

WHEREAS, the January 7, 2014 New York administrative action against Mr. Zimmermann was not reported to the Department until April 15, 2014; and

WHEREAS, on January 7, 2014, BG Agents Insurance Services, Inc., was subject to an administrative action by the New York Department of Financial Services for late reporting the December 12, 2012 denial of a license by the Florida Department of Financial Services; and

WHEREAS, the January 7, 2014 New York administrative action against BG Agents Insurance Services, Inc. was not reported to the Department until April 15, 2014; and

WHEREAS, Mr. Zimmerman, on his own behalf and on BG Agents Insurance Services, Inc.'s behalf, failed to report the aforementioned administrative actions to the Department within thirty (30) days of the disposition of that matter as is required by N.C.G.S. § 58-33-32(k); and

WHEREAS, Mr. Zimmerman's violations of N.C.G.S. § 58-33-32(k) as stated above constitute violations of the insurance laws pursuant to N.C.G.S. § 58-33-46(a)(2) for which his license could be revoked; and

WHEREAS, Mr. Zimmerman 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. Zimmerman; and

WHEREAS, pursuant to N.C.G.S. § 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

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter; and

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution of this

matter as set out in this Agreement;

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

1. Mr. Zimmerman agrees to pay a civil penalty of **one thousand two hundred fifty dollars and 00/100** (\$1,250.00) to the Department. The civil penalty must be in the form of a **certified check, cashier's check or money order**, and must be received by the Department contemporaneously with the executed Voluntary Settlement Agreement, signed by Mr. Zimmerman, no later than **July 31, 2014**.
2. Mr. Zimmerman enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Zimmerman understands that he may consult with an attorney prior to entering into this Agreement.
3. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Mr. Zimmerman or in any other complaints involving Mr. Zimmerman.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Zimmerman understands that N.C.G.S. 58-33-46(a)(2) provides that his licenses may be revoked for violating an Order of the Commissioner.
5. Mr. Zimmerman has read and understands this Agreement and agrees to abide by the terms and conditions stated herein.
6. This 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 licensees following the execution of this Agreement. The Department is free to disclose the contents of this Agreement with 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 the NAIC and all companies that have appointed the licensee.
7. This Voluntary Settlement Agreement shall become effective when signed and attested to by Mr. Zimmerman and the Department.

This the ^{21st}~~8th~~ day of July, 2014.

NORTH CAROLINA DEPARTMENT OF
INSURANCE

[Redacted Signature]

Barry Zimmerman

By:

[Redacted Signature]

Angela Ford
Senior Deputy Commissioner

7-21-14

BG AGENTS INSURANCE SERVICES, INC.

By: 
Barry Zimmermann, President

