

NORTH CAROLINA DEPARTMENT OF INSURANCE

RALEIGH, NORTH CAROLINA  
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A.S. - N.C.D.O.I.

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

JUN 29 2011

BEFORE THE COMMISSIONER  
OF INSURANCE

IN THE MATTER OF  
THE LICENSURE OF  
Wallace Ernest Brothers  
(NAME OF BONDSMAN)

[REDACTED]

VOLUNTARY SETTLEMENT  
AGREEMENT

PROCESSOR

16178407  
(NPN)

NOW COME the above-named Bondsman (hereinafter "Bondsman") 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 regulating and licensing bail bondsmen and bail bond runners; and

WHEREAS, Bondsman holds the following licenses:

- Professional Bail Bondsman
- Surety Bail Bondsman
- Runner; and

WHEREAS, Bondsman, failed to timely comply with the renewal requirements of N.C. Gen. Stat. §58-71-75; and

WHEREAS, Bondsman's failure to timely comply with the renewal requirements of N.C. Gen. Stat. §58-71-75 subject Bondsman's license(s) to possible revocation or suspension under N. C. Gen. Stat. § 58-71-80(a)(7) based on Bondsman's violation of Article 71 of Chapter 58 of the North Carolina General Statutes; and

WHEREAS Bondsman has now submitted documentation and payment that, if they had been submitted in a timely manner, comply with the applicable renewal requirements; and

WHEREAS Bondsman has agreed to settle, compromise, and resolve the licensing matters referenced in this Agreement, and the Department has agreed not to pursue additional civil penalties, sanctions, remedies, or restitution based on these licensing matters against Bondsman; 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

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

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution of this licensing 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 Bondsman hereby agree to the following:

1. Contemporaneously with his execution of this Agreement, Bondsman shall pay a civil penalty of **two hundred and fifty dollars (\$ 250.00)** to the Department. The form of payment shall be in a certified check, cashiers 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."
2. Bondsman enters into this Agreement freely and voluntarily and with knowledge of Bondsman's rights to have an administrative hearing regarding this matter. Bondsman understands that Bondsman may consult with an attorney prior to entering into this Agreement.
3. Bondsman shall comply with all provisions of Chapter 58 of the North Carolina General Statutes and Title 11 of the North Carolina Administrative Code that are applicable to Bondsman.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Bondsman understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that Bondsman's licenses may be revoked for violating an Order of the Commissioner.
5. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Bondsman, or in any other complaints involving Bondsman or Bondsman's current or future employers.
6. This Agreement, when finalized, will be a public record and is not confidential. 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.
7. This Agreement shall become effective when signed by Bondsman and the Department.

This 23 day of May, 2011.

NORTH CAROLINA DEPARTMENT OF INSURANCE

[Redacted Signature]

Signature of Bondsman

Wallace Ernest Brothers  
(TYPED NAME OF BONDSMAN)

By:

[Redacted Signature]

Angela Ford  
Senior Deputy Commissioner

7-6-11