

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE MATTER OF THE LICENSURE
OF DAVID DUZAN

RECEIVED IN AGENT SERVICES BEFORE THE COMMISSIONER
OF INSURANCE
A.S. - N.C.D.O.I.
OCT - 6 2008
CHECK NO. [REDACTED]
CHECK AMT. [REDACTED] *BP #42122*

BEFORE THE COMMISSIONER
OF INSURANCE

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME David Duzan (hereinafter "Mr. Duzan") 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 the insurance laws of this State, and for regulating and licensing insurance agents; and

WHEREAS, Mr. Duzan holds a non-resident property and casualty license issued by the Department on or about March 27, 1998; and

WHEREAS, on or about May 23, 2004, Mr. Duzan entered into a "Stipulation & Consent Order" with the Illinois department of insurance whereby he was fine \$4,000 for violations of Illinois insurance law; and

WHEREAS, on or about November 22, 2006, Mr. Duzan applied for an insurance agent license in New York and failed to disclose the Illinois administrative action; and

WHEREAS, New York's department of insurance initially denied Mr. Duzan's license for failure to disclose the Illinois administrative action. After agreeing to a fine of \$500, New York issued Mr. Duzan a license; and

WHEREAS, Indiana's department of insurance also fined Mr. Duzan in the amount of \$250 for failure to disclose the Illinois administrative Action; and

WHEREAS, on or about April 18, 2007, Mr. Duzan notified NCDOL of the administrative action by New York, and on or about August 15, 2007, Mr. Duzan notified NCDOL of the administrative action taken by Indiana; and

WHEREAS, Mr. Duzan's failure to notify NCDOL of the 2004 administrative action in Illinois, and his failure to timely notify NCDOL of the administrative actions in New York and Indiana

are violations of N.C.G.S. § 58-33-32(k); and

WHEREAS, Mr. Duzan's violations of N.C.G.S. § 58-33-32(k) is a violation of the insurance laws for which his license may be revoked pursuant to N.C.G.S. § 58-33-46(a)(2); and

WHEREAS, Mr. Duzan 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. Duzan; 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. Duzan hereby agree to the following:

1. Mr. Duzan agrees to pay a civil penalty of **two hundred and fifty dollars (\$250.00)** to the Department. The civil penalty must be in the form of a check, cashier's check or money order, and must be received by the Department contemporaneously with the executed Voluntary Settlement Agreement, signed by Mr. Duzan, no later than **October 20, 2008**.
2. Mr. Duzan enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Duzan 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. Duzan or in any other complaints involving Mr. Duzan.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Duzan 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. The parties have read and understand this Agreement and agree 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. Duzan and the Department.

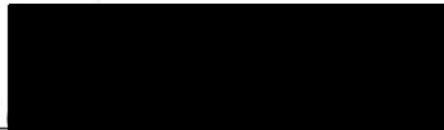
This the 30th day of September, 2008.

NORTH CAROLINA DEPARTMENT OF
INSURANCE



David Duzan

By:



Angela Ford
Senior Deputy Commissioner

10-7-08