

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

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BEFORE THE COMMISSIONER OF INSURANCE  
PROCESSOR DEP  
104168

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE MATTER OF THE LICENSURE OF  
BRIAN FRIEND  
(NPN 7324647)

VOLUNTARY SETTLEMENT  
AGREEMENT

NOW COME **BRIAN FRIEND** (hereinafter "Bail Bondsman") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "Agreement");

WHEREAS, the Department has the authority and responsibility for regulating and licensing professional bail bondsmen, surety bail bondsmen, and bail bond runners; and

WHEREAS, Bail Bondsman currently holds a license as a surety bail bondsman issued by the Department; and

WHEREAS, Bail Bondsman did not renew his license until after the July 1, 2014 statutory deadline for renewal; and

WHEREAS, N.C. Gen. Stat. §58-71-75(a) requires annual renewal of a bail bondsman's license on or before July 1 of each year upon payment of the applicable annual renewal fee; and

WHEREAS, Bail Bondsman violated N.C. Gen. Stat. §58-71-75(a) by failing to renew Bail Bondsman's license on or before July 1, 2014; and

WHEREAS, Bail Bondsman's violation of N. C. Gen. Stat. §58-71-75(a) subjects bail Bondsman's license to possible revocation or suspension under N. C. Gen. Stat. §58-71-80(a)(7) based on Bail Bondsman's violation of the Article 71 of Chapter 58 of the North Carolina General Statutes; 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 issued by the Department, 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 Bail Bondsman hereby agree to the following:

1. Immediately upon signing this agreement, Bail Bondsman shall pay a civil penalty of **Seven Hundred and Fifty Dollars (\$750)** to the Department. This civil penalty is subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of public schools. The form of payment shall be 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." Bail Bondsman shall remit the civil penalty by certified mail, return receipt requested, to the Department along with the original of this Agreement bearing the signature of Bail Bondsman. **The signed Agreement must be received by the Department no later than December 3, 2014.**

2. Bail 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 Bail Bondsman.

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

4. Bail Bondsman enters into this Agreement freely and voluntarily and with knowledge of Bail Bondsman's right to have an administrative hearing regarding this matter. Bail Bondsman understands that Bail Bondsman may consult with an attorney prior to entering into this Agreement.

5. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Bail Bondsman, or in any other complaints involving Bail Bondsman. In the event that bail Bondsman fails to comply with this Agreement or otherwise fails to comply with the laws and rules applicable to Bail Bondsman, the Department may take any administrative or legal action it is authorized to take.

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. Following the execution of this

Agreement, any and all licenses issued by the Department to Bail Bondsman shall reflect that Regulatory Action has been taken against Bail Bondsman.

7. This Agreement shall become effective when signed by Bail Bondsman and the Department.

[Redacted Signature]

Brian Friend

Date: 11-10-14

NORTH CAROLINA DEPARTMENT OF INSURANCE

[Redacted Signature]

By:

Angela K. Ford  
Senior Deputy Commissioner

Date: 11-18-14

