

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

SEP 16 2014

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE COMMISSIONER  
OF INSURANCE

IN THE MATTER OF THE LICENSURE OF  
SHAWN EDWARD GOHEEN  
(NPN 1195104)

VOLUNTARY SETTLEMENT  
AGREEMENT

NOW COME Shawn Edward Goheen (hereinafter "Producer") 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 producers and insurance agents; and

WHEREAS, Producer currently holds a nonresident license as a producer issued by the Department with lines of authority for Life and Accident & Health or Sickness; and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-33-32(k); a licensed producer must notify the North Carolina Department of Insurance within thirty (30) days of administrative action taken against the producer in another state or by FINRA and provide records with respect to such administrative action; and

WHEREAS, Producer had administrative action against him by FINRA in November of 2011; and

WHEREAS, Producer did not report the November 2011 administrative action by FINRA to the Department within thirty days (30); and

WHEREAS, Producer also had administrative action against him by the California Department of Insurance in May of 2014; and

WHEREAS, Producer did not report the May 2014 administrative action by the California Department of Insurance to the Department within thirty days (30); and

WHEREAS, Producer's failure to report to and notify the Department of the above administrative actions taken against him within thirty (30) days are violations of N.C. Gen. Stat. § 58-33-32(k); and

WHEREAS, Producer's violations of N.C. Gen. Stat. § 58-33-32(k) are violations of the insurance laws and subject Producer's license to revocation pursuant to N.C. Gen. Stat. § 58-33-46(a)(2); and

WHEREAS, pursuant to N.C. Gen. Stat. § 58-2-70(g), the Commissioner of Insurance and the Department have 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;

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 Producer hereby agree to the following:

1. Immediately upon signing this agreement, Producer shall pay a civil penalty of **Five Hundred Dollars (\$500.00)** to the Department. 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." Producer 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 Producer. The civil penalty and the signed Agreement must be received by the Department no later than September 5, 2014. 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. Producer shall comply with all provisions of Chapter 58 of the North Carolina General Statutes that are applicable and all provisions of Title 11 of the North Carolina Administrative Code that are applicable to Producer.
3. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Producer understands that N.C. Gen. Stat. § 58-33-46(a)(2) provides that Producer's license may be revoked for violating an Order of the Commissioner.
4. Producer enters into this Agreement freely and voluntarily and with knowledge of Producer's right to have an administrative hearing regarding this matter. Producer understands that Producer 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 Producer, or in any other complaints involving Producer. In the event that Producer fails to comply with this Agreement or otherwise fails to comply with the laws and rules applicable to Producer, 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, and any and all licenses issued by the Department to Producer shall reflect that Regulatory Action has been taken against Producer.
7. This Agreement shall become effective when signed by Producer and the Department.

[Redacted Signature]

Shawn Edward Goheen

Date: 8/25/14

NORTH CAROLINA DEPARTMENT OF INSURANCE

By: [Redacted Signature]

Angela K. Ford  
Senior Deputy Commissioner

Date: 9-16-14