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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 MACK MACK AND WALTZ
INSURANCE GROUP INC
CORPORATE LICENSE: 1000087020**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, Mack Mack and Waltz Insurance Group, Inc., (hereinafter "MACK") 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 business entities; and

WHEREAS, MACK currently holds a non-resident Corporation (Business Entity) License with the Department; and

WHEREAS, North Carolina Gen. Stat. § 58-33-46(a)(2) authorizes the Commissioner of Insurance to place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of the North Carolina General Statutes for violating any insurance law of this or any other state; and

WHEREAS, North Carolina General Statute § 58-33-46(a)(1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued by the Department for providing materially incorrect, misleading, incomplete, or materially untrue information in the license application; and

WHEREAS, MACK was involved in a proceeding before the Florida Department of Financial Services, Division of Agent & Agency Services, Bureau of Licensing resulting in the entering of a Consent Order effective December 9, 2011 assessing an administrative penalty in the amount of \$7500.00 and a Cease and Desist Order with respect to sharing commissions with unlicensed persons; and


WHEREAS, MACK on its original application for licensure in North Carolina on April 1, 2011 and subsequent renewal applications through 2015 answered "No" to the question: Has the business entity or any owner, partner, officer or director of the business entity, or member or manager of a limited liability company, been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding regarding any professional or occupational license, or registration which has not been previously reported to this insurance department?"

WHEREAS, MACK admits to these violations of North Carolina General Statute § 58-33-46(1) ; and

WHEREAS, MACK 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 MACK; and

WHEREAS, the parties to this Agreement mutually wish to resolve these matters by consent before the Department initiates an administrative hearing, and have reached a mutually agreeable resolution of these matters as set out in this Agreement.

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

1. Immediately upon the signing of this Agreement, MACK shall pay a civil penalty of **\$250.00** to the Department. The form of payment shall be by 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." MACK shall remit the civil penalty by certified mail, return receipt requested, to the Department along with a copy of this signed Agreement. The civil penalty and the signed Agreement must be received by the Department no later than **January 18, 2016**. 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 public schools. 
2. This Agreement does not in any way affect the Department's disciplinary power in any future examination of MACK, or in any other complaints involving MACK.
3. MACK enters into this Agreement freely and voluntarily and with the knowledge of its right to have an administrative hearing on this matter. MACK understands it may consult with an attorney prior to entering into this Agreement.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. MACK understands that N.C.G.S. § 58-33-

46(a)(2) provides that a business entity's license may be revoked for violating an Order of the Commissioner.


5. This Agreement, when finalized, will be a public record and will not be held confidential by the Department. Following the execution of this Agreement, any and all licenses issued by the Department to MACK shall reflect that Regulatory Action has been taken against it. 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 all companies that have appointed the licensee.
6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
7. Be aware that if a state or federal regulator other than the N. C. Department of Insurance has issued an occupational or professional license to you, that regulator may require you to report this administrative action to it. The N.C. Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

This the 20th 6 day of JANUARY, 2016.

**MACK MACK AND WALTZ
INSURANCE GROUP INC.
License No. 1000087020**

North Carolina Dept. of Insurance


By: Suzanne Panico
Chief Financial Officer

 1-20-16
By: Angela Ford
Senior Deputy Commissioner