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STATE OF NORTH CAROLINA
COUNTY OF WAKE
OFFICE OF ADMIN HEARINGS

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IN THE OFFICE OF
ADMINISTRATIVE HEARINGS

16 INS 09016

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NC DEPARTMENT OF INSURANCE,)
Petitioner,)

v.)

AGREEMENT BY C

ROSA MEZA and LINDA RAMIREZ)

16462810 Respondent. 17588645)

This contested case is before the undersigned Administrative Law Judge pursuant to September 9, 2016 request under N.C. Gen. Stat. §150B-40, from the North Carolina Department of Insurance ("Petitioner"), for assignment of an administrative law judge to preside over the hearing of this Chapter 150B, Article 3A administrative hearing regarding the Surety Bail Agent license of Respondents Rosa Meza and Linda Ramirez (hereinafter "Respondents") based on the allegations set out in the Notice of Administrative Hearing issued on or about July 19, 2016 by North Carolina Department of Insurance Stewart Johnson ("Notice of Administrative Hearing").

And it appearing to the undersigned administrative law judge that the parties have agreed to a resolution of the allegations contained in the Notice of Administrative Hearing as set forth herein:

IT IS THEREFORE, BY CONSENT, ORDERED AS FOLLOWS:

- 1) Petitioner contends violations of Chapter 58 of the North Carolina General Statutes more particularly described in its Notices of Hearing and the Petitioner's Pre-Hearing Statement for 16 INS 09016.
- 2) Respondents deny the allegations of misconduct and statutory violations contained in the Notice of Hearing and Prehearing statements and previously submitted allegations

in 41721, 41725, and 41730.

- 3) -By agreeing to this consent agreement, Respondents are not admitting to any allegation of misconduct or statutory violation. Their decision to resolve this matter considers the costs of litigation, expense, and time in defending what Respondents believes are without merit.
- 4) Respondents shall pay a civil penalty of One Thousand Dollars (\$1,000.00) within ninety (90) calendar days from the filing of the consent agreement. The form of payment shall be certified check, cashier's check, official bank check, or money order payable to the "North Carolina Department of Insurance", 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. The check can be mailed to NCDOI ASD, 1204 Mail Service Center, Raleigh, NC 27699-1204.
- 5) Pursuant to N.C. Gen. Stat. § 58-2-70, the \$1,000 payment shall be deemed a penalty. Payment of the amount referenced above is not an admission of liability or to be construed as a violation of any statute or misconduct.
- 6) This Consent Agreement does not suspend Respondents' Surety Bail Agent license based on the allegations set out in the Notice of Administrative Hearing and Respondent's license is eligible for renewal, provided that all conditions precedent to renewal are met, as required for all licensed surety bail agents.
- 7) This Consent Order, once executed, concludes and closes this contested case in the Office of Administrative Hearings. Petitioners shall not pursue any disciplinary actions against Respondents arising out of the allegations contained in its Notice of Hearings and Prehearing statements. Petitioners do not waive their right to bring

forth any action stemming from any criminal conviction arising out of the allegations.

8) Each party shall bear its own costs, expenses, and attorney's fees.

9) The agency that shall make the final agency decision in this case (NCDOI Docket

Number D-1819, D-1820) is the North Carolina Department of Insurance.

This the 22 date of November, 2016.

[Redacted Signature]

Honorable Phillip E. Berger, Jr.
Administrative Law Judge

By Consent:

[Redacted Signature]

Rosa Meza, Respondent

[Redacted Signature]

Linda Ramirez, Respondent

[Redacted Signature]

North Carolina Department of Insurance
By Authorized Representative: Angela Hatchell

[Redacted Signature]

Anne G. Kirby, Attorney for Petitioner

[Redacted Signature]

Brian D. Elston, Attorney for Respondents