

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 MICHAEL D. MOSER,)

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME Michael D. Moser, hereinafter "Mr. Moser," and the North Carolina Department of Insurance, hereinafter "the Department," by and through Deputy Commissioner Shirley Jones, and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement, hereinafter "this document":

WHEREAS, the Department has the authority and responsibility for enforcement of the insurance laws of this State, for regulating and licensing insurance agents, and for regulating the continuing education of insurance agents; and

WHEREAS, Mr. Moser holds Life/Health and Medicare Supplement/Long Term Care agent licenses issued by the Department; and

WHEREAS, the Agent Services Division received allegations from Blue Cross Blue Shield that Michael D. Moser personally signed a client-applicant's signature to an application for a Medicare Supplement Policy without his client's knowledge or authority; and

WHEREAS, the foregoing allegations, which Mr. Moser has admitted to the Agent Services Division, constitute violations of N.C. Gen. Stat. §§ 58-33-46(a)(8) and 58-33-46(a)(10); and

WHEREAS, Mr. Moser has informed Agent Services Division that he has never personally signed a client's name on an application before without his client's knowledge or authority, that he realizes now that it was a mistake in judgment, and that he regrets having done so; and

WHEREAS, Blue Cross Blue Shield made a decision to terminate Mr. Moser's appointment to represent Blue Cross Blue Shield of North Carolina, as well as his Individual and Group commission agreements, effective October 5, 2003, as a result of Mr. Moser's actions in personally signing an application for insurance without the knowledge or authority of his client; and

WHEREAS, the parties to this document mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter; and

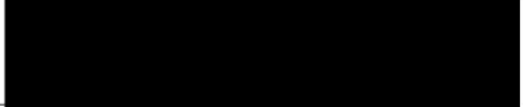
WHEREAS, the parties to this document have reached a mutually agreeable resolution of this matter as set out in this document.

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

- 1.1. Contemporaneously with the execution of this document, Mr. Moser shall pay a civil penalty of one hundred dollars (\$100.00) to the Department. The check for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." This 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. The parties to this document agree that the Superior Court of Wake County shall be the venue for any actions seeking to enforce this document.
3. If, for any reason, any part or provision of this document is found to be void or unenforceable, the other parts and provisions shall remain in full force and effect.
4. The parties to this document have read and understand this document and agree to abide by the terms and conditions contained herein.

This the 18 day of February, 2004.


Michael D. Moser


North Carolina Department of Insurance
By Angela K. Ford
Senior Deputy Commissioner