

**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
NATION MOTOR CLUB, LLC
PERMIT # 119498277**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, NATION MOTOR CLUB, LLC (hereinafter “**NATION**”) and the Agent Services Division of the N.C. Department of Insurance (hereinafter “**Agent Services Division**”), and hereby enter into the following Voluntary Settlement Agreement (hereinafter “**this Agreement**”).

WHEREAS, the Agent Services Division has the authority and responsibility for the enforcement of the provisions of Chapter 58 of the General Statutes of North Carolina applicable to Motor Clubs and the business of motor clubs in this State; and

WHEREAS, **NATION** is a corporation domiciled in the State of Delaware, and is doing business and has been issued a permit by the Agent Services Division to operate as a foreign motor club in North Carolina; and

WHEREAS, N.C. Gen. Stat. Sec. 58-69-5 provides that no motor club, district or branch office, or franchise motor club shall engage in business in this State unless it holds a valid license issued to it by the Commissioner; and

WHEREAS, N.C. Gen. Stat. Sec. 58-69-15 provides that all licenses and all renewals thereof shall expire on June 30 following issuance or renewal; and

WHEREAS, **NATION** failed to timely follow the process of renewal of its license to do business as a motor in North Carolina by June 30, 2021, and therefore was operating in North Carolina without an active license thereafter in violation of N.C. Gen. Stat. §§ 58-69-5 and 58-69-15; and

WHEREAS, **NATION** will be allowed to reinstate its authority back to July 1, 2021 by the Agent Services Division, and be authorized to act as a motor club in North Carolina upon execution of this Agreement and payment of the imposed penalty; and

WHEREAS, **NATION** has acknowledged and admitted to these violations; and

WHEREAS, pursuant to N.C. Gen. Stat. Sec. 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 or certificate or as to any civil penalty or restitution”; and

WHEREAS, the parties to this Agreement have reached a mutually agreeable resolution of this matter as set out in this Agreement, and the Agent Services Division has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against **NATION**; and

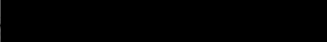
NOW THEREFORE, in consideration of the promises and agreements set out herein, the Agent Services Division and **NATION** hereby agree to the following;

1. Immediately upon signing this agreement, **NATION** shall pay a civil penalty of **\$1000.00** to the Agent Services Division. 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.” **NATION** shall remit the civil penalty by certified mail, return receipt requested, to the Agent Services Division along with a copy of this signed agreement. The civil penalty and the signed Agreement must be received by the Agent Services Division no later than **October 29, 2021**. 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. **NATION** shall comply with all provisions of Chapter 58 of the General Statutes of North Carolina and Title 11 of the North Carolina Administrative Code that are applicable to **NATION**.
3. This Agreement does not in any way affect the Agent Services Division’s disciplinary power in any future or follow-up examination of **NATION**, or in any cases or complaints involving **NATION**. In the event **NATION** or any of its present or future locations fail to comply with this Agreement or otherwise fail to comply with the laws and rules applicable to **NATION**, the Agent Services Division may take any administrative or legal action it is authorized to take.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner of Insurance.

5. **NATION** enters into this Agreement freely and voluntarily and with knowledge of its right to have an administrative hearing on this matter. **NATION** understands that it may consult with an attorney prior to entering into this Agreement.
6. This Voluntary Settlement Agreement, when finalized will be a public record and will not be treated as confidential. All permits issued by the Agent Services Division to **NATION** shall reflect that Regulatory Action has been taken against the licensee following the execution of this Agreement. The Agent Services Division 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.
7. This Agreement shall become effective when signed by **NATION** and the Agent Services Division.

NATION MOTOR CLUB, LLC
Permit # 119498277

N.C. Department of Insurance
Agent Services Division

By:  _____
Michael L. Wiener
President

By:  _____
Angela Hatchell
Deputy Commissioner

Date: 10.8.2021

Date: 10/14/2021