

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

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BEFORE THE COMMISSIONER DEP  
OF INSURANCE

104176

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

IN THE MATTER OF THE LICENSURE  
OF SCOTTISH AMERICAN INS  
GENERAL AGENCY  
ENTITY NUMBER 2004676

VOLUNTARY SETTLEMENT  
AGREEMENT

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NOW COME Scottish American Ins General Agency ("Scottish American") and the North Carolina Department of Insurance ("Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement ("Agreement"):

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

WHEREAS, Scottish American holds a business entity license issued by this Department; and

WHEREAS, N.C. General Statute § 58-33-32(k) requires a producer to report to the Commissioner of Insurance any administrative action taken against the producer in another state or by another governmental agency in North Carolina within 30 days after the final disposition of the matter.

WHEREAS, Scottish American violated N.C. General Statute § 58-33-32(k) by failing to timely report an administrative action taken against Scottish American in another state.

WHEREAS, under N.C. General Statute § 58-33-46(a)(2), the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 for violating any insurance law of this or any other state or violating any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator.

WHEREAS, Scottish American and the Department have 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 Scottish American.

WHEREAS, pursuant to N.C. General Statute § 58-2-70(g), the Commissioner 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 as to any civil penalty or restitution.

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 in this Agreement, the Department and Scottish American hereby agree to the following:

1. Scottish American agrees to pay a civil penalty of two hundred and fifty dollars (\$250.00) to the Department. The civil penalty must be paid with a certified check, cashier's check, or money order; and must be received by the Department contemporaneously with the executed Agreement, signed by Scottish American, no later than November 15, 2014. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution and N.C. General Statute § 115C457.2 for the benefit of the public schools.
2. Scottish American enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Scottish American understands that he may consult with an attorney before entering into this Agreement.
3. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Scottish American or in any other complaints involving Scottish American.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Scottish American understands that N.C. General Statute 58-33-46(a)(2) provides that his license may be revoked for violating an Order of the Commissioner.
5. Scottish American has read and understands this Agreement and agrees to abide by the terms and conditions stated in this Agreement.
6. This Agreement, when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect that Regulatory Action has been taken against the licensee following the execution of this Agreement. 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 the NAIC and all companies that have appointed the licensee.

7. This Agreement shall become effective when signed and attested to by Scottish American and the Department.

8. Scottish American must be aware that if a state or federal regulator other than the Department has issued an occupational or professional license to Scottish American, that regulator may require Scottish American to report this administrative action to that state or federal regulator. The Department cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

This the <sup>21<sup>st</sup></sup>~~10~~ day of Nov, 2014.

NORTH CAROLINA DEPARTMENT OF INSURANCE

By:   
Scottish American Ins General Agency

By:  11-21-14  
Angela Ford  
Senior Deputy Commissioner