

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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| STATE OF NORTH CAROLINA |) | BEFORE THE COMMISSIONER |
| COUNTY OF WAKE |) | OF INSURANCE |
| |) | |
| IN THE MATTER OF THE LICENSURE |) | |
| OF SAYTA SHAW |) | VOLUNTARY SETTLEMENT |
| |) | |
| |) | AGREEMENT |
| |) | |

NOW COME Sayta Shaw [hereinafter, "Mr. Shaw"] and the North Carolina Department of Insurance [hereinafter "the Department"], by and through Senior Deputy Commissioner Angela Ford, 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, agencies, and bail bondsmen, and for regulating the continuing education of insurance agents and bail bondsmen;

WHEREAS, Mr. Shaw holds a nonresident producer license originally issued by the Department on May 8, 2009;

WHEREAS, on November 2, 2010, in Case No. 09-2039, before the Department of Insurance for the State of South Carolina, a fine in the amount of three thousand dollars (\$30000.00) was imposed by Consent Order against Mr. Shaw's non-resident producer license for writing policies on residents of South Carolina before being properly licensed in the state of South Carolina;

WHEREAS, on April 18, 2011, in Case No. INS-2011-00062, before the State Corporation Commission for the Commonwealth of Virginia, Mr. Shaw's license to transact the business of insurance as an insurance agent was revoked for failure to report to the Commission the administrative action taken against him by the Department of Insurance for the State of South Carolina;

WHEREAS, on May 4, 2011, in Case No. INS-2011-064-LC, before the Insurance Commissioner for the State of Utah ["May 4, 2011 Order"], Mr. Shaw was ordered to pay a penalty of \$500.00 for failing to submit a response to an inquiry from the Commissioner. The May 4, 2011 Order provided that the penalty be paid within 10 days after the Commissioner's final;

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| PROCESSOR <i>DJS</i> |

WHEREAS, the May 4, 2011 Order became final on May 19, 2011. On January 24, 2012, in Case No. INS-2011-064-LC, before the Insurance Commissioner for the State of Utah, Mr. Shaw's producer license was revoked for failing to obey the May 19, 2011 Order which required Mr. Shaw to pay a \$500.00 penalty;

WHEREAS, on November 9, 2012, in Case No. LBB 7878-AF (AR), before the Commissioner of Insurance for the State of California, Mr. Shaw's agent licenses were revoked for failure to disclose the April 18, 2011 and January 24, 2012 disciplinary actions revoking his agents licenses on his May 31, 2012 renewal application and for having his Virginia and Utah licenses revoked within five years of the date of his renewal application;

WHEREAS, Mr. Shaw violated N.C.G.S. §58-33-32(k) by failing to report the South Carolina, Virginia, Utah, and California administrative actions to the North Carolina Commissioner of Insurance within thirty days of the actions;

WHEREAS, pursuant to N.C. Gen. Stat. § 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;

WHEREAS, Mr. Shaw 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 Mr. Shaw;

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

WHEREAS, Mr. Shaw has agreed to pay a total administrative fine of \$500.00 in lieu of other administrative action against his license for these violations of Chapter 58;

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

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

1. Contemporaneously with the execution of this document, Mr. Shaw shall pay a civil penalty of five hundred dollars (\$500.00) 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. The Department must receive both the civil penalty and this signed document from Security One no later than **June 5, 2013.**

2. Mr. Shaw agrees to comply with all statutory and regulatory requirements applicable to insurance agents in this State.
3. This Agreement does not in any way affect the Department's disciplinary power in any future actions, cases or complaints involving Mr. Shaw.
4. 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.
5. 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.
6. The parties to this document have read and understand this document and agree to abide by the terms and conditions contained herein.
7. 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.
8. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Shaw understands that N.C. Gen. Stat. § 58-33-46(a)(2) provides that a producer's license may be revoked for violating an Order of the Commissioner.
9. Mr. Shaw voluntarily waives any right to notice of an administrative hearing and any right to a hearing on the violation and disciplinary action referenced in this Settlement Agreement. Mr. Shaw also waives any right to appeal and agrees not to challenge the validity of this Settlement Agreement in any way.
10. The promises, agreements, representations and consideration contained herein are not mere recitals but are contractual in nature.
11. This written document contains the entire agreement between the Parties. There are no other oral or written agreements of any kind that alter or add to this agreement.

[Redacted]

Sayta Shaw ✓

Date: ^{14 SC} 5/13/13

[Redacted]

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

Date: May 22, 2013

I Samantha Chavez a Notary for the State of Florida
am verifying the signature for Sayta Shaw.

5/14/13

[Redacted]

