

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE COMMISSIONER
OF INSURANCE

IN THE MATTER OF THE LICENSURE
OF GEORGE THORPE

VOLUNTARY SETTLEMENT
AGREEMENT

NOW COME George Thorpe (hereinafter "Mr. Thorpe") and the North Carolina Department of Insurance (hereinafter "Department"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"):

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

WHEREAS, Mr. Thorpe holds a Producer license and a Medicare Supplement/Long Term Care issued by the Department; and

WHEREAS, pursuant to N.C.G.S. § 58-33-46(a)(8), Mr. Thorpe used fraudulent and dishonest practices and demonstrated incompetence in the conduct of insurance business by misrepresenting the terms of an Avontra Freedom Medicare Supplement plan to several North Carolina senior citizens, including Margaret Pressley, Mr. and Mrs. Joseph Helms, John and Irene Jackson, Donna Lefrancois, William B. Phifer, Jr., and Mr. and Mrs. Olin Broome; and

WHEREAS, Mr. Thorpe has violated N.C.G.S. § 58-63-15(1) by making, issuing, and circulating misleading or false statements regarding the terms of Avontra Freedom Medicare Supplement plans to North Carolina consumers; and

WHEREAS, Mr. Thorpe's violations of N.C.G.S. §§ 58-33-46(a)(8) and 58-63-15(1) are violations of the insurance laws for which his license may be revoked pursuant to N.C.G.S. § 58-33-46(a)(2); and

WHEREAS, Mr. Thorpe 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. Thorpe; and

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PRODUCER *[Signature]*

WHEREAS, pursuant to N.C.G.S. § 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 mutually wish to resolve this matter by consent before the Department initiates an administrative hearing concerning this matter; and

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 herein, the Department and Mr. Thorpe hereby agree to the following:

1. Mr. Thorpe agrees to pay a civil penalty of **two thousand dollars (\$2,000.00)** to the Department. The civil penalty must be in the form of a check, cashier's check or money order, and must be received by the Department contemporaneously with the executed Voluntary Settlement Agreement, signed by Mr. Thorpe, no later than **October 30, 2008**.
2. Mr. Thorpe enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Thorpe understands that he may consult with an attorney prior to entering into this Agreement.
3. This Agreement does not in any way affect the Department's disciplinary power in any future examinations of Mr. Thorpe or in any other complaints involving Mr. Thorpe.
4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Thorpe understands that N.C.G.S. 58-33-46(a)(2) provides that his licenses may be revoked for violating an Order of the Commissioner.
5. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.
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 licensees 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 Voluntary Settlement Agreement shall become effective when signed and attested to by Mr. Thorpe and the Department.

This the 29th day of October, 2008.

NORTH CAROLINA DEPARTMENT OF
INSURANCE


George Thorpe

By:  11-4-08
Angela Ford
Senior Deputy Commissioner