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**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  
ERIC D. TUTTLE  
LICENSE NO. 0010004619**

**VOLUNTARY SETTLEMENT  
AGREEMENT**

**NOW COME**, Eric D. Tuttle (hereinafter "Mr. Tuttle") 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 insurance laws of this State, and for regulating and licensing bail bondsmen; and

**WHEREAS**, Mr. Tuttle holds an active license as a surety bail bondsman issued by the Department; and

**WHEREAS**, N.C. Gen. Stat. § 58-71-95(5) provides that no bail bondsman or runner shall accept anything of value from a principal or from anyone on behalf of a principal except the premium, which shall not exceed fifteen percent (15%) of the face amount of the bond;

**WHEREAS**, the Department received a complaint from Ms. Sheena Hasty, mother of Brandon Martel Walker of Winston-Salem, North Carolina lodged against Mr. Tuttle in connection with a surety bond written on Mr. Walker by Mr. Tuttle; and

**WHEREAS**, Mr. Tuttle required Mr. Walker to pay the costs of a filing fee for a bond Forfeiture Set Aside proceeding in Forsyth County, NC District Court, in the amount of \$250.00, of which \$100.00 was paid by Mr. Walker to Mr. Tuttle; and

**WHEREAS**, Mr. Tuttle was not authorized to collect such fee from Mr. Walker since such fee was not authorized by the provisions of N.C. Gen. Stat. §§ 58-71-95(5); and

**WHEREAS**, following a conference with Department personnel wherein Mr. Tuttle

agreed to refund \$100.00 to Mr. Walker; and

**WHEREAS**, Mr. Tuttle's violation of N.C. Gen. Stat. §§ 58-71-95(5) demonstrate a failure to comply with and/or a violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes for which Mr. Tuttle's surety bondsman license could be revoked, suspended or not renewed pursuant to N.C. Gen Stat. § 58-71-80(a)(7); and

**WHEREAS**, pursuant to N.C. Gen. Stat. § 58-71-80(a)(7), the Commissioner may deny, suspend, revoke, or refuse to renew any license under Article 71 of Chapter 58 of the North Carolina General Statutes for failure to comply with or violation of the provisions of Article 71 of Chapter 58 of the North Carolina General Statutes or of any order, rule or regulation of the Commissioner; and

**WHEREAS**, Mr. Tuttle admits to the violation set out herein; and

**WHEREAS**, in lieu of an administrative hearing on the matters stated herein, Mr. Tuttle 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. Tuttle; and

**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; and

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

1. Immediately upon his signing of this document, Mr. Tuttle shall pay a **civil penalty of \$250.00** to the Department. The form of payment shall be in a 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." Mr. Tuttle shall send the civil penalty by certified mail, return receipt requested, to the Department simultaneously with the return of this Agreement, signed by Mr. Tuttle. The civil penalty and the signed Agreement must be received by the Department no later than **November 23, 2016**. 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 the public schools.

2. Mr. Tuttle shall obey all laws and regulations applicable to all licenses issued to him.

3. Mr. Tuttle enters into this Agreement freely and voluntarily and with knowledge of his right to have an administrative hearing on this matter. Mr. Tuttle understands that he may consult with an attorney prior to entering into this Agreement.

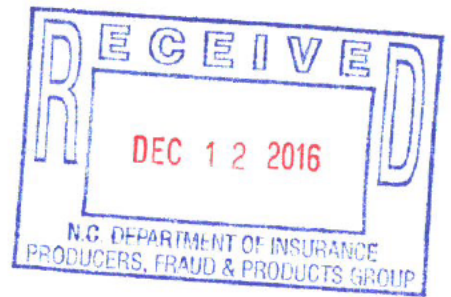
4. This Agreement does not in any way affect the Department's disciplinary power in any future follow-up examinations of Mr. Tuttle, or in any other cases or complaints involving Mr. Tuttle.

5. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Mr. Tuttle understands that N. C. Gen. Stat. § 58-71-80(a)(7) provides that a surety bondsman's license may be revoked for violating an Order of the Commissioner.

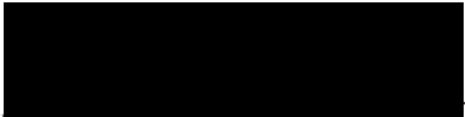
6. This Voluntary Settlement Agreement, when finalized, will be a public record and is not confidential. Any and all licenses issued by the Department to the licensee shall reflect that Regulatory Action has been taken against the licensee following the execution of this Agreement. The Department is free to disclose the contents of this Agreement to 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 all companies that have appointed the licensee.

7. This Settlement Agreement shall become effective when signed by Mr. Tuttle and the Department.

*MTT*  
This the 5<sup>th</sup> day of December, 2016



North Carolina Department of Insurance

By:   
License No. 0010004619

 12-14-16  
By: Angela Ford  
Senior Deputy Commissioner