

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

**Legend Motors, Inc.
System ID No. 0055506**

Enforcement Case No. 13-11849

**Legend Motor No. 3, Inc.
System ID No. 0080389**

Salem Moshe

Jonathon Moshe

Respondents.

_____ /

Issued and entered
on February 28, 2014
By **Teri L. Morante**
Chief Deputy Director

ORDER ACCEPTING STIPULATION

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS) in this matter, the Chief Deputy Director finds and concludes that:

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of the Department of Insurance and Financial Services (DIFS).
2. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 et seq., and the Motor Vehicle Sales Finance Act (Act), as amended, MCL 492.101 et seq.
3. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.

6. Respondents violated Section 16(b) of the Act, MCL 492.116(b) by influencing an installment buyer's insurance purchasing decision by urging, suggesting, directing, or recommending that the installment buyer use Respondents' on-site personal computer to complete an insurance application and purchase no-fault auto insurance from the Government Employees Insurance Company.

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case,
IT IS ORDERED THAT:

7. Respondents shall immediately cease and desist from operating in such a manner as to violate with Section 16(b) of the Act, MCL 492.116(b).
8. Respondents shall pay to the State of Michigan, a civil fine of Five Hundred Dollars (\$500.00). Upon acceptance of this Order, DIFS will send an invoice to Respondents and Respondents shall pay the civil fine by the due date printed on the Invoice.
9. The Chief Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Act. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order will result in the commencement of proceedings to revoke your installment seller licenses.


Teri L. Morante
Chief Deputy Director

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Salem Moshe

Jonathon Moshe

Respondents.

_____ /

STIPULATION TO ENTRY OF ORDER

Legend Motors, Inc., Legend Motor No. 3, Inc., Salem Moshe, and Jonathon Moshe (Respondents) stipulate to the following:

1. On or about November 20, 2013, the Department of Insurance and Financial Services (DIFS) served Respondents with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondents violated provisions of the Motor Vehicle Sales Finance Act, (Act), MCL 492.101 *et seq.*
2. Specifically, the NOSC contained allegations that Respondents violated Section 16(b) of the Act, MCL 492.116(b).
3. Respondents exercised the right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
4. Respondents failed to show compliance with the Act.
5. At all pertinent times, Respondents Legend Motors, Inc. and Legend Motor No. 3, Inc. were licensed with DIFS as an installment seller under the Act.
6. All parties have complied with the procedural requirements of the APA and the Act.
7. Respondents agree that they will cease and desist from operating in a manner that violates Section 16(b) of the Act by influencing an installment buyer's insurance purchasing decision by urging, suggesting, directing, or recommending that the installment buyer use Respondents' on-site personal computer to complete an insurance application and

purchase no-fault auto insurance from the Government Employees Insurance Company or any other insurance company.

8. Respondents understand and agree that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
9. The Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondents waive the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondents waive any objection to the Director holding a formal administrative hearing and making his decision after such hearing.
10. Respondents have had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.

Authorized Representative of
Legend Motors, Inc.
System ID No. 0055506

Date

Authorized Representative of
Legend Motor No. 3, Inc.
System ID No. 0080389

Date

Salem Moshe

Salem Moshe

2-17-2014

Date



Jonathon Moshe
In his capacity as Manager

2-18-14

Date

purchase no-fault auto insurance from the Government Employees Insurance Company or any other insurance company.

8. Respondents understand and agree that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
9. The Chief Deputy Director may, in her sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Chief Deputy Director accepts the Stipulation to Entry of Order, Respondents waive the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Chief Deputy Director does not accept the Stipulation to Entry of Order, Respondents waive any objection to the Director holding a formal administrative hearing and making his decision after such hearing.
10. Respondents have had an opportunity to review this Stipulation to Entry of Order and the proposed Order Accepting Stipulation and have the same reviewed by legal counsel.

Salem Moshe
Authorized Representative of
Legend Motors, Inc.
System ID No. 0055506

2-17-14
Date

Salem Moshe
Authorized Representative of
Legend Motor No. 3, Inc.
System ID No. 0080389

2-17-14
Date

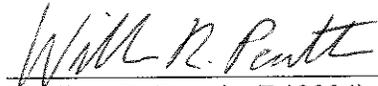
Salem Moshe
Salem Moshe

2-17-2014
Date

[Signature]
Jonathon Moshe
In his capacity as Manager

2-18-14
Date
RECEIVED
FEB 26 2014
DIFS/OGC

DIFS Staff approve this stipulation and recommend that the Chief Deputy Director issue the above Consent Order.



William R. Peattie (P48004)
DIFS Staff Attorney

2/26/14
Date