

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

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Donna Pender
System ID No. 0712350

Enforcement Case No. 20-15910

Respondent.

_____ /

**Issued and entered
on May 14, 2020
by Randall S. Gregg
Senior 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 Senior Deputy Director finds and concludes that:

1. The Senior 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 Michigan Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
3. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
4. All applicable provisions of the APA have been met.
5. Respondent violated Section 4503(g)(i) of the Code, MCL 500.4503(g)(i), and provided justification for sanctions under Sections 1239(1)(b) and (h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b) and (h) and 500.1244(1)(a-d). Respondent manipulated the payment system to delay and avoid paying policy premiums for personal insurance accounts.
6. In resolution of this matter and to avoid further costs and proceedings, Respondent has agreed to accept sanctions, including the revocation of her resident insurance producer license.

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

1. All agreements contained in the Stipulation to Entry of Order are accepted and adopted in their entirety.
2. Respondent's resident insurance producer license shall be **REVOKED**, effective immediately upon the issuance of this Order.
3. The Senior 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, if Respondent violates the terms of this Order, in accordance with the Code. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.

A handwritten signature in black ink, appearing to read 'RS Gregg', is written over a horizontal line.

Randall S. Gregg
Senior Deputy Director

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STIPULATION TO ENTRY OF ORDER

Petitioner Department of Insurance and Financial Services (DIFS) and Donna Pender (System ID No. 0712350) (Respondent) stipulate to the following:

1. On or about February 14, 2020, the Department of Insurance and Financial Services (DIFS) served Respondent with a Notice of Opportunity to Show Compliance (NOSC) alleging that Respondent violated provisions of the Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Specifically, the NOSC contained allegations that Respondent violated Section 4503(g)(i) of the Code, MCL 500.4503(g)(i), and provided justification for sanctions under Sections 1239(1)(b) and (h) and 1244(1)(a-d) of the Code, MCL 500.1239(1)(b) and (h) and 500.1244(1)(a-d). It was alleged that, as an agent, Respondent manipulated the payment system and used fake bank accounts to avoid paying policy premiums for her personal account and the accounts of other customers.
3. Respondent and DIFS conferred for the purpose of resolving this matter.
4. Respondent waives her right to an opportunity to show compliance pursuant to the Michigan Administrative Procedures Act (APA), MCL 24.201 *et seq.*
5. At all pertinent times, Respondent was licensed with DIFS as a resident insurance producer pursuant to the Code.
6. All parties have complied with the procedural requirements of the APA and the Code.
7. Respondent admits to the allegations contained in the NOSC and desires to avoid the time and expense of formal proceedings and agrees to resolve this matter pursuant to this Stipulation to Entry of Order.
8. Respondent agrees that her Michigan resident insurance producer license will be revoked effective immediately upon the issuance of the Order Accepting Stipulation.
9. Respondent has 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.

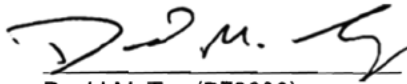
10. Respondent understands and agrees that this Stipulation to Entry of Order will be presented to the Senior Deputy Director for approval.
11. Respondent understands and agrees that the Senior Deputy Director may, in his sole discretion, decide to accept or reject this Stipulation to Entry of Order. If the Senior Deputy Director accepts the Stipulation to Entry of Order, Respondent waives the right to a hearing in this matter and consents to the entry of the Order Accepting Stipulation. If the Senior Deputy Director does not accept the Stipulation to Entry of Order, Respondent waives any objection to the Director holding a formal administrative hearing and making a decision after such hearing.



Donna Pender
System ID 0712350

5/12/20
Date

DIFS Staff approve this Stipulation and recommend that the Senior Deputy Director accept it and issue an Order Accepting Stipulation.



David M. Toy (P73000)
DIFS Staff Attorney

5/13/2020
Date