

STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Before the Director of the Department of Insurance and Financial Services

In the matter of:

Mann Insurance, LLC
System ID No. 0101672

Enforcement Case No. 18-15141

James Randolph Mann
System ID No. 0653699

Respondents.
_____ /

Issued and entered
on January 10, 2019
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. 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 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. Respondents violated 1207 of the Code, MCL 500.1207, by failing to turn over to an insured a return premium Mann held in a fiduciary capacity as an agent, and by failing to use reasonable accounting methods to record funds received in Mann's fiduciary capacity. Respondents were asked by DIFS to produce records of insurance transactions—including but not limited to the return premium referenced above—and Respondents stated that they had no such records.

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

6. Both Respondents will voluntarily surrender their producer licenses within 30 days of the issuance of this Order.
7. Respondents will not apply for any insurance licenses in Michigan at any time the future.
8. 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 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.



Teri L. Morante
Chief Deputy Director

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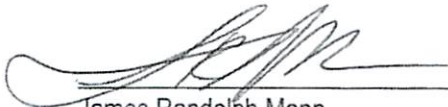
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STIPULATION TO ENTRY OF ORDER

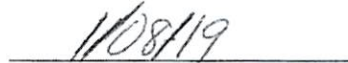
MANN INSURANCE, LLC (Respondent Agency) and JAMES RANDOLPH MANN (Respondent Mann) stipulate to the following:

1. On or about November 14, 2018, 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 Insurance Code of 1956 (Code), MCL 500.100 *et seq.*
2. Specifically, the NOSC contained allegations that Respondents violated Section 1207, MCL 500.1207.
3. Respondents and DIFS conferred for the purpose of resolving this matter.
4. Respondents waived the 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, Respondents were licensed with DIFS as non-resident insurance producers pursuant to the Code.
6. All parties have complied with the procedural requirements of the APA and the Code.
7. Respondents agree that they will cease and desist from operating in a manner that violates the Code.
8. Respondents agree that they will voluntarily surrender their non-resident insurance producer licenses, and that they will not seek to re-apply for insurance licenses in the future.

9. Respondents expressly acknowledge that once their licenses are surrendered, they will no longer be licensed in the State of Michigan, and that they may be subject to legal penalties for selling insurance in Michigan without a license.
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.
11. Respondents understand and agree that this Stipulation to Entry of Order will be presented to the Chief Deputy Director for approval.
12. Respondent understands and agrees that 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 and Requiring Compliance and Payment of Fines. 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 a decision after such hearing.



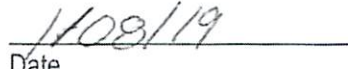
James Randolph Mann
MANN INSURANCE, LLC
System ID No. 0101672



Date



James Randolph Mann
System ID No. 0101672



Date

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



Erik A. Grill (P64713)
DIFS Staff Attorney



Date