

**STATE OF MICHIGAN
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION**

Before the Commissioner of Financial and Insurance Regulation

In the matter of:

Office of Financial and Insurance Regulation

Enforcement Case No. 09-7086

Petitioner

v

**Joseph M. Szykula
d/b/a Liberty Bail Bonds
System ID No.: 0175883**

Respondent

CONSENT ORDER AND STIPULATION

Issued and entered, 2010
on 6/15, 2009,
by Stephen R. Hilker
Chief Deputy Commissioner

I.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Joseph M. Szykula (Respondent) is a licensed resident producer with qualifications in limited lines property and casualty and is authorized to transact the business of insurance in this state.
2. Respondent knew or had reason to know that Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), provides that, "The Commissioner to place on probation, suspend, or revoke an insurance producer's license or levy a civil fine under Section 1244 ... for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere."

3. Respondent further knew or had reason to know that Section 1247(2) of the Code, MCL 500.1247(2), provides that, "Within 30 days after the initial pretrial hearing date, an insurance producer shall report to the commissioner any criminal prosecution of the insurance producer taken in any jurisdiction. The report shall include a copy of the initial complaint filed, the order resulting from the hearing, and any other relevant legal documents."
4. Respondent has committed grounds for revocation, probation, suspension, and/or the levy of civil fine based on the conduct described below:

COUNT I

5. Liberty Bail Bonds posted fraudulent bail bonds for two men charged with assault with intent to rob while armed, felony firearm and possession with intent to deliver marijuana.
6. On or about May 22, 2001, Respondent was convicted of two counts of criminal contempt in the Macomb County 16th Judicial Circuit Court for posting fraudulent bail bonds.
7. Based on the foregoing, Respondent has committed grounds for revocation, probation, suspension, and/or the levy of civil fine pursuant to Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), and Section 1244 of the Code, MCL 500.1244.

COUNT II

8. As previously indicated, on or about May 22, 2001, Respondent was convicted of two counts of criminal contempt in the Macomb County 16th Judicial Circuit Court for posting fraudulent bail bonds.
9. Respondent failed to notify the Office of Financial and Insurance Regulation of his criminal contempt conviction, in violation of Section 1247(2) of the Code, MCL 500.1247(2).

II. ORDER

Based upon the Findings of Fact and Conclusions of Law above and Respondent's stipulation, the Commissioner ORDERS that:

1. Respondent shall CEASE and DESIST from violating MCL 500.1239 and MCL 500.1247.
2. Respondent shall pay to the state of Michigan, through Office of Financial and Insurance Regulation (OFIR), a civil fine in the amount of \$5,000. Upon execution of

this Order, OFIR will send Respondent an invoice for payment of the fine, which will be due within 30 days of the invoice date.

3. Respondent shall comply with all requirements and/or provisions of the Insurance Code for the retention of his license as a resident producer.
4. The Commissioner retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as he shall deem just, necessary and appropriate in accordance with the provisions of the Michigan Insurance Code. Failure by Respondent to abide by the terms and provisions of this Order may result in the commencement of additional proceedings.

IT IS SO ORDERED

Dated: 6/16/00


Stephen R. Hilker,
Chief Deputy Commissioner

**III.
STIPULATION**

Respondent has read and understands the Consent Order above. Respondent agrees that the Chief Deputy Commissioner has jurisdiction and authority to issue this Consent Order pursuant to the Michigan Insurance Code. Respondent waives the right to a hearing in this matter if this Consent Order is issued. Respondent understands that the Consent Order and Stipulation will be presented to the Chief Deputy Commissioner for approval and the Chief Deputy Commissioner may or may not issue this Consent Order. Respondent waives any objection to the Commissioner deciding this case following a hearing in the event the Consent Order is not approved. Respondent admits to the Findings of Fact and Conclusions of Law set forth in the above Consent Order, and agrees to the entry of the Consent Order.

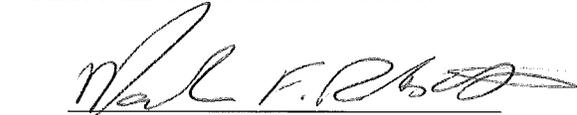
Dated: 06-03-10



Joseph M. Szykula

The Office of Financial and Insurance Regulation staff approves this stipulation and recommends that the Chief Deputy Commissioner issue the above Consent Order.

Dated: 6/9/10



Marlon F. Roberts
Staff Attorney