

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

Before the Commissioner of the Office of Financial and Insurance Regulation

In the matter of:

Winslow Ballenger Wheeler
System ID No. 0479876

Enforcement Case No. 10-9746

Respondent
_____ /

Issued and entered
on May 1st 2011
by Stephen R. Hilker
Chief Deputy Commissioner

CONSENT ORDER AND STIPULATION

A. FINDING OF FACTS AND CONCLUSIONS OF LAW

It is alleged that the following statements are true and correct:

1. At all pertinent times, Respondent was a resident insurance producer in the State of Florida and a non-resident insurance producer with qualifications in Life and Accident and Health in the State of Michigan.
2. On or about November 20, 2009, the Office of Financial and Insurance Regulation (OFIR) received a letter from the Respondent indicating that he had been indicted and arraigned in the United States District Court, Middle District of Florida, Jacksonville Division, on charges of mail fraud in connection with certain real estate transactions.
3. On or about April 21, 2010, the Respondent and the United States Attorney's Office entered into a Plea Agreement.
4. On or about May 14, 2010, the District Court Judge accepted the Plea Agreement and on November 9, 2010, the Respondent was adjudicated guilty for mail fraud, a felony and sentenced to three years probation.
5. On March 3, 2011, the Florida Department of Financial Services revoked the Respondent's insurance licenses and appointment issued under the Florida Insurance Code.
6. Respondent knew or had reason to know that Section 1239(1)(f), MCL 500.1239(1)(f), states that in addition to any other powers under this act, the commissioner may place on

- probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions for having been convicted of a felony.
7. Respondent further knew or had reason to know that Section 1239(1)(h), MCL 500.1239(1)(h), states that in addition to any other powers under this act, the commissioner may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions for using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.
 8. Based upon the actions listed above, Respondent has committed acts that are grounds for the Commissioner ordering payment of a civil fine, refund of any overcharges, restitution be made to insureds to cover losses, damages or other harm attributed to Respondent's violation of the Code, and/or licensing sanctions under Section 1244(1) of the Code, MCL 500.1244(1), for the Respondent violating Section 1239(1)(f) and (h) of the Code, MCL 500.1239(1)(f) and (h).

B. ORDER

Based upon the findings of fact and conclusions of law above, and Respondent's stipulation to said facts, it is hereby ORDERED that:

1. Respondent shall immediately cease and desist from operating in a manner that violates Section 1239 of the Code, MCL 500.1239.
2. Respondent's insurance producer license and authority are hereby **REVOKED**.

OFFICE OF FINANCIAL AND
INSURANCE REGULATION

By: Stephen R. Hilker
Stephen R. Hilker
Chief Deputy Commissioner

C. STIPULATION

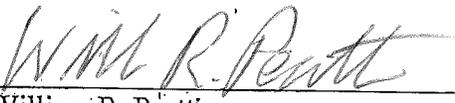
I have read and understand the consent order above. I agree that the Commissioner has jurisdiction and authority to issue this consent order pursuant to the Insurance Code. I waive the right to a hearing in this matter if this consent order is issued. I understand that this stipulation and consent order will be presented to the Commissioner for approval and the Commissioner may or may not issue this consent order. I waive any objection to the Commissioner deciding this case following a hearing in the event the consent order is not approved. I admit the facts set forth in the above consent order and agree to the entry of this order.



Winslow Ballenger Wheeler
System ID No. 0479876

Dated: 4/18/2011

OFIR staff approves this stipulation and recommends that the Commissioner issue the above Consent Order.



William R. Peattie

Dated: 4/28/11