

<b>IN RE:</b>	)	
	)	
<b>JOHN BAER and THE YATES</b>	)	
<b>INSURANCE</b>	)	<b>CONSENT AGREEMENT</b>
<b>AGENCY, INC.</b>	)	
	)	
<b>Docket No. MCINS-98-14</b>	)	

This document is a Consent Agreement, authorized by 5 M.R.S.A. §9053(2) entered into by and among John Baer, The Yates Insurance Agency, Inc., and the Staff of the Maine Bureau of Insurance. The purpose is to resolve, without resort to an adjudicatory proceeding, issues relative to the above parties' insurance activity in the State of Maine.

**STIPULATIONS**

1. Yates Insurance Agency, Inc. is a licensed agency operating at 4 Executive Park East, Suite 200, Atlanta GA 30329.
2. John Baer, affiliated with the Yates Agency, is not and has never been licensed in the State of Maine.
3. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations.
4. This proceeding arises as a result of an investigation by the Superintendent into the unlicensed activities of agent Baer in the State of Maine. Baer acknowledges that he engaged in the following activity, in inadvertent violation of 24-A M.R.S.A. §1512.
  - A. On or about January, 1993, John Baer, at the Yates Insurance Agency in Atlanta, Georgia, took an application for and participated in procuring insurance for CWCO, Inc., a company located in Norcross, Georgia which was proposing to do business in Maine.
  - B. Although the Yates Agency is licensed in the State of Maine as a nonresident agency, Baer is not a licensed producer.

**COVENANTS**

5. The Yates Agency acknowledges that it shares responsibility for Mr. Baer's violation of 24-A M.R.S.A. §1512.
6. John Baer, the Yates Agency, and the Staff of the Maine Bureau of Insurance agree to the following:
  - a. The Superintendent may issue a *Consent Order* in this matter in the form agreed upon by the parties. (A copy is attached);
  - b. A formal hearing in this matter is waived and no appeal will be made;

- c. Pursuant to Title 24-A M.R.S.A. §12-A, Baer agrees to pay a civil penalty in the amount of \$500.00. The Yates Agency agrees to the issuance of a reprimand.
- d. The **Consent Order** shall be final upon execution by the Superintendent and conclusive between the parties as to all matters which were subject of this investigation.

**MISCELLANEOUS**

7. Baer and the Yates Agency understand and acknowledge that this Agreement will constitute a public record within the meaning of 1 M.R.S.A. §402 and will be available for public inspection and copying as provided for by 1 M.R.S.A. §408.

8. It is understood by the parties to this Agreement that nothing herein shall affect any rights or interests that any person not a party to this Agreement may possess.

9. It is also understood by the parties that this agreement resolves licensing issues only.

Dated:

\_\_\_\_\_  
JOHN BAER

Personally appeared before me this day John Baer, and signed this Consent Agreement in my presence.

\_\_\_\_\_  
Notary Public

Dated:

\_\_\_\_\_  
(signature)  
for THE YATES AGENCY, INC.

\_\_\_\_\_  
(printed name and title)

Personally appeared before me this day \_\_\_\_\_ ,  
and signed this Consent Agreement in my presence.

\_\_\_\_\_  
Notary Public

Dated:

\_\_\_\_\_  
ROBERT ALAN WAKE  
Financial Surveillance Attorney  
Maine Bureau of Insurance

Dated:

\_\_\_\_\_  
JUDITH SHAW CHAMBERLAIN  
Assistant Attorney General

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**STATE OF MAINE  
DOCKET NO. MCINS-98-14**

**IN RE: JOHN BAER and THE YATES )  
INSURANCE AGENCY, INC. )      **CONSENT ORDER****

This proceeding arises as a result of an investigation of JOHN BAER and THE YATES INSURANCE AGENCY, INC. by the Market Conduct Division of the Maine Bureau of Insurance. The parties have entered into a *Consent Agreement* with the intent of resolving this matter without resort to a hearing.

Having reviewed the *Consent Agreement* of the parties to this proceeding, the Superintendent hereby accepts the *Agreement* as a basis for this **Consent Order**. A copy of said Agreement is attached hereto and incorporated herein by reference. The Superintendent finds that JOHN BAER and THE YATES INSURANCE AGENCY, INC. engaged in the conduct described in *Consent Agreement* and that said conduct violates 24-A M.R.S.A. §1512.

**IT IS HEREBY ORDERED** that JOHN BAER, a nonresident insurance producer who is not licensed to do business in the State of Maine, and the YATES AGENCY, a licensed agency authorized to do business in the State of Maine, are subjected to the following disciplinary action:

1. JOHN BAER must pay a penalty in the amount of \$500.00 to the Maine Bureau of Insurance, made payable to the Treasurer of the State of Maine, within fourteen days after the effective date of this **Consent Order**.
2. The YATES AGENCY is hereby reprimanded.

*Nothing herein shall affect any rights or interests that any person not a party to this proceeding may possess.*

**PER ORDER OF THE SUPERINTENDENT**

Dated:

\_\_\_\_\_  
ALESSANDRO A. IUPPA  
Superintendent of Insurance