

FACTS

5. The home of insureds Mr. and Mrs. W. of Lakeville, Maine burned on October 28, 2009. Their emergency call to 911 was placed at approximately 10:30 A.M.
6. Mr. Walsh solicited Mr. and Mrs. W. for the provision of public adjuster services by telephone on October 29, 2009 at approximately 4:00 P.M. The solicitation occurred less than 36 hours after the fire at the home of Mr. and Mrs. W and the 911 call reporting that fire.
7. Mr. Walsh violated 24-A M.R.S. § 1476(1).

COVENANTS

8. Mr. Walsh admits to the facts stated in ¶¶ 5 through 7 above and admits that those facts constitute a basis for imposing discipline against him.
9. At the time of executing this Consent Agreement, Mr. Walsh will remit to the Maine Bureau of Insurance a civil penalty in the amount of \$1,500.00 payable to the Treasurer of the State of Maine.
10. Mr. Walsh's insurance adjuster's license shall be suspended for 10 business days, commencing on the seventh day subsequent to the date of the Superintendent's signature on this Consent Agreement. During the period of suspension, Mr. Walsh shall not engage, directly or indirectly, for himself or for others, in the business of insurance or any other business in the financial services industry. During the period of suspension, Mr. Walsh shall not serve in any adjunct or advisory capacity to any person engaged in the business of insurance or any other business in the financial services industry. During the period of suspension, Mr. Walsh shall not apply for any employment in the business of insurance or any other business in the financial services industry.
11. No later than 30 days subsequent to the date of the Superintendent's signature on this Consent Agreement, Mr. Walsh shall provide the Superintendent a report in a form satisfactory to her of all solicitations for an adjustment services contract by him during the two years immediately prior to the date of the Superintendent's signature on this Consent Agreement.
12. For 150 days subsequent to Mr. Walsh's license suspension, his license shall be probationary. Conditions of probation are as follows:
 - a. Prior to any employment in the business of insurance or any other business in the financial services industry, Mr. Walsh shall provide his prospective employer with a copy of this Consent Agreement.
 - b. No later than ten days after any employment in the business of insurance or any other business in the financial services industry, Mr. Walsh shall report to the Superintendent in a form satisfactory to her his employment, its location, and its telephone number. Such reports shall include such other information as the Superintendent deems necessary.

13. Nothing herein shall be construed to constitute a waiver of or excuse from any usual condition of licensure by Mr. Walsh.

14. The parties to this Consent Agreement understand that nothing herein shall affect any right or interest which any person not a party to this Agreement may possess.

15. In return for Mr. Walsh's execution of this Consent Agreement, the Superintendent and the Attorney General agree that no further action will be initiated against him by the Bureau of Insurance or Attorney General for the specific violation of law described in ¶¶ 5 through 7 above, unless he fails to comply with the terms and conditions of this Consent Agreement. This Consent Agreement does not preclude the State of Maine or any of its agencies from seeking in any forum any remedy for illegal conduct by Mr. Walsh other than the specific violation of law resolved through this Consent Agreement.

16. This Consent Agreement is enforceable by an action in Maine Superior Court.

17. This Consent Agreement is not subject to appeal. Mr. Walsh waives any right he may have to appeal the matters that are the subject of this Consent Agreement.

18. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto. Any decision to modify, continue, or terminate any provision of this Consent Agreement rests in the discretion of the Superintendent and Attorney General.

19. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Law, 1 M.R.S. §§ 401 through 410; will be available for public inspection and copying as provided for by 1 M.R.S. § 408; and will be reported to the National Association of Insurance Commissioners' "RIRS" database.

20. By his signature on this Consent Agreement, Mr. Walsh indicates that he has consulted with counsel before signing the Agreement or has knowingly and voluntarily decided to proceed in this matter without consulting counsel, that he understands the Agreement, and that he enters into the Agreement voluntarily and without coercion of any kind from any person.

SIGNATURES

Dated: May 5, 2010

COLEMAN P. WALSH, JR.

THE MAINE BUREAU OF INSURANCE

Dated: May 12, 2010

Mila Kofman, Superintendent

OFFICE OF THE MAINE ATTORNEY GENERAL

Dated: May 10, 2010

Assistant Attorney General

James M. Bowie_____
(Printed Name)