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RE: DOUGLAS MITCHELL) CONSENT AGREEMENT) Docket No. MCINS 98-03
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This document is a Consent Agreement, authorized by 5 M.R.S.A. §9053(2) entered into by and among Douglas Mitchell 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 producer's authority to act as an insurance producer in the State of Maine.

STIPULATIONS

- 1. Douglas Mitchell, 27 Gorham Road, Suite 9, Scarborough, ME, was first licensed as a Maine resident insurance producer, license #45064.
- 2. Douglas Mitchell is appointed to represent Nationwide Insurance Company.
- 3. The **Superintendent of Insurance** (hereinafter, "Superintendent") is the official charged with administering and enforcing Maine's insurance laws and regulations.
- 4. Douglas Mitchell acknowledges that if this matter were to go to hearing, the hearing officer could find, by a preponderance of the evidence, that he engaged in the following activity in violation of the cited Maine law:
 - 1. Mitchell sent a direct mail solicitation without knowing that it could amount to a misleading advertisement in violation of Title 24-A M.R.S.A. § 2154.

COVENANTS

- 5. Douglas Mitchell 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. Douglas Mitchell will pay a penalty within 14 days of the effective date of the **Consent Order** in the amount of five hundred dollars (\$500.00) to the Maine Bureau of Insurance made payable to the Treasurer of the State of Maine; and
 - c. The **Consent Order** shall be final upon execution by the Superintendent and conclusive between the parties as to all matters which were subject to the investigation.

MISCELLANEOUS

6. Douglas Mitchell understands and acknowledges 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. This Consent Agreement is intended solely for the purpose of resolution of the Bureau of Insurance Staff's investigation into a complaint filed against Mr. Mitchell.

DATED:

Douglas Mitchell

Subscribed to before me this ___day of ______, 1998.

Notary Public/Attorney at Law

DATED:

KATHRYN E. DAVIS
Staff Attorney

DATED:

JUDITH CHAMBERLAIN
First Dep. Asst. Attorney General

STATE OF MAINE
DOCKET NO. MCINS 98-03

7. 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.

This proceeding arises as a result of an investigation by the Staff of the Maine Bureau of Insurance.

IN RE: DOUGLAS MITCHELL

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 and incorporated by reference.

CONSENT ORDER

Having engaged in conduct that could amount to a violation of 24-A M.R.S.A. § 2154, it is **HEREBY ORDERED** pursuant to 24-A M.R.S.A. § 12-A that Douglas Mitchell, an insurance professional licensed to do business in the State of Maine, will pay a penalty within 14 days of the effective date of the **Consent Order** in the amount of \$500.00 (five hundred dollars) to the Maine Bureau of Insurance made payable to the Treasurer of the State of Maine.

This Consent Order	shall be final u	ipon execution	and conclusive	between the	parties as	to all
matters which were s	ubject to the in	vestigation.				

PER ORDER OF THE SUPERINTENDEN ORDER IS	,
Dated:	
	Alessandro A. Iuppa
	Superintendent of Insurance