

2010 MAY 20 PM 2:03
ADMINISTRATIVE OFFICE

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	VIOLATIONS:
	:	
ELSIDIEG ABASHERA	:	40 Purdons Statutes, Sections
4521 Baltimore Avenue	:	310.11(4) and (20)
Philadelphia, Pennsylvania 19143	:	
	:	
Respondent.	:	Docket No. CO09-01-001

AMENDMENT TO CONSENT ORDER

AND NOW, this *20th* day of *May*, 2010, the parties hereto agree to amend the terms of the above-docketed Consent Order issued on February 10, 2009, as follows:

1. Respondent entered into a Consent Order with the Insurance Department, docketed above, on February 10, 2009 (the "2009 Order").

2. In 2009, after executing the above Order, Respondent violated the 2009 Order by failing to remit premium of \$2,851.95 to Progressive. Accordingly, by letter dated April 26, 2010, the Department notified Respondent that his license was suspended pursuant to paragraph 5(d) of the 2009 Order.

3. Respondent's actions described herein constitute violations of 40 P.S. §§310.11(2) (violation of the Commissioner's Order), and (20) (lack of worthiness), which are punishable by the following under 40 P.S. §310.91:

- a. Suspension, revocation or refusal to issue the certificate of qualification or license;
- b. Imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for each violation of the Act;
- c. An order to cease and desist; and
- d. Any other conditions as the Commissioner deems appropriate.

4. Paragraph 5(d) of the 2009 Consent Order is amended to read:

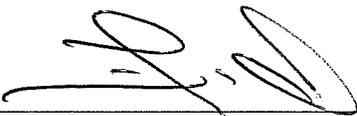
Respondent's certificates and licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of seven (7) years from the date of this Order.

5. Respondent's 2009 Consent Order shall remain in full force and effect, except that the seven year supervision period referenced above shall commence from the effective date of this Amended Order.

6. Respondent's license suspension dated April 26, 2010 is hereby discontinued as of the date of this Amended Order. This action does not constitute a waiver of the Department's ability to suspend Respondent's licenses under the 2009 Consent Order or this Amended Order, should Respondent commit any further violations thereof.

7. Respondent shall complete restitution to Progressive. Proof of restitution payment shall be provided to the Insurance Department.

8. Nothing herein shall be construed to, in any way, alter or impair the provisions of the February 10, 2009 Consent order, which terms are specifically incorporated therein.

BY: 

ELSIDIEG ABASHERA, Respondent



COMMONWEALTH OF PENNSYLVANIA
By: Ronald A. Gallagher, Jr.
Deputy Insurance Commissioner