

BEFORE THE INSURANCE COMMISSIONER
OF THE
COMMONWEALTH OF PENNSYLVANIA

RECEIVED
PA INSURANCE DEPARTMENT
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ADMIN HEARINGS OFFICE

IN RE: : VIOLATIONS:
: :
DOMINIC J. BOZZI, INSURANCE : 40 P.S. §§46, 47, 310.6, and 310.11;
SOLUTIONS CONCEPT, INC., AND : 31 Pa. Code §§37.46, and
COMPREHENSIVE INSURANCE : 37.48
SERVICES, INC. : :
77 Makefield Road : :
Morrisville, PA 19067 : :
: :
Respondents : Docket No. SC04-01-018

SETTLEMENT AGREEMENT

AND NOW, this 24th day of May, 2004, this Settlement Agreement ("Agreement") is hereby entered into by Dominic J. Bozzi, Insurance Solutions Concept, Inc., and Comprehensive Insurance Services, Inc. (collectively, "Respondents") and the Deputy Insurance Commissioner of the Commonwealth of Pennsylvania ("Department"), in full and final resolution of the matter captioned above.

WHEREAS, on January 22, 2004, the Department filed an Order to Show Cause against Respondents with the Administrative Hearings Office under Docket No. SC04-01-018 ("the Order to Show Cause"); and

WHEREAS, the Order to Show Cause alleged that Respondents solicited and secured insurance coverage with an unlicensed entity, Britannia International Life and Casualty Company, Ltd., beginning in 1997 and renewing annually through 2002, in violation of Sections 208 and 209 of the Insurance Department Act of 1921 (40 P.S. §§46 - 47) and therefore are unworthy of continued licensure under the Insurance Producers Act (40 P.S. §310.1, et seq.) in addition to other applicable penalties; and

WHEREAS, in an effort to settle the dispute arising out of Respondents' conduct, as alleged in the Order to Show Cause, the parties hereto have agreed to settle, inter alia, all claims asserted in the litigation at Docket No. SC04-01-018 and all claims which the Department and Respondents have against each other, arising out of, or in relation to, the activities and conduct described in the Order to Show Cause, all subject to and on the terms and conditions hereinafter set forth.

AGREEMENTS

NOW THEREFORE, the parties hereto, intending to be legally bound, hereby agree as follows:

1. Respondents understand their rights to a formal administrative hearing and hereby waive same. Respondents further agree that the agreements contained herein shall have the same force and effect of an Order entered in accordance with Administrative Agency Law, 2 Pa.C.S.

§101 et seq. or other applicable law.

2. Respondents shall, immediately upon the execution of this Agreement, Cease and Desist from engaging in the activities identified in the above-captioned Order to Show Cause and any other activities or conduct that may constitute a violation of the Commonwealth's Insurance Laws.

3. Respondent Dominic J. Bozzi ("Respondent Bozzi") shall, contemporaneously upon the execution of this Agreement, surrender to the Department all Licenses / Certificates of Qualification to do the business of insurance in the Commonwealth of Pennsylvania for a minimum period of one (1) year from the date of this Agreement.

4. Respondent Bozzi shall not apply for a Certificate of Qualification or License to engage in the business of insurance in the Commonwealth of Pennsylvania until at least one (1) year from the date of this Agreement. Should Respondent Bozzi thereafter make such application, the Department shall not withhold approval of same based on the allegations contained in the Order to Show Cause. However, nothing in this Agreement shall limit the Department's right to otherwise consider all other relevant and material factors regarding Respondent's worthiness for a license or Certificate of Qualification, as set forth in applicable statutes and regulations.

5. If Respondent Bozzi should ever become licensed in any capacity to do the business of insurance in the Commonwealth of Pennsylvania in the future, his certificate(s) and/or license(s) may be immediately suspended by the Department following its investigation and determination that: (i) any term of this Agreement has 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 immediately suspend Respondent Bozzi's certificate(s) and license(s) hereunder is limited to a period of five (5) years from the date of issuance of any such certificate or license by the Department to Respondent.

6. Respondent Bozzi specifically waives his right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.

7. At the hearing referred to in paragraph six (6) of this Agreement, Respondent Bozzi shall have the burden of demonstrating that he is worthy of an insurance certificate or license.

8. In the event Respondent Bozzi's certificate(s) or license(s) are suspended pursuant to paragraph five (5) above, and Respondent Bozzi either fails to request a hearing within thirty (30) days or at the hearing fails to demonstrate that he is worthy of a certificate and license, Respondent's suspended certificate(s) and license(s) shall be revoked.

9. In the event the Deputy Insurance Commissioner finds that there has been a breach of any of the provisions of this Agreement, the Department may pursue any and all legal remedies, including but not limited to, the following: the Department may enforce the provisions of this Agreement in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provision of law; or if applicable, the Department may enforce the provisions of this Agreement in any other Court of law or equity having jurisdiction.

10. Alternatively, in the event that the Deputy Commissioner finds that there has been a breach of any of the provisions of this Agreement, the Deputy Commissioner may declare this Agreement to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provisions of law.

11. In the event that the Deputy Commissioner elects to act in accordance with paragraph ten (10), Respondent Bozzi hereby expressly waives any relevant statute of limitations and application of the *doctrine of laches* for purposes of any enforcement action related to the subject of the Order to Show Cause.

12. This Agreement constitutes the entire agreement of the parties with respect to the matters referenced to herein, and may not be amended or modified, except by an Amended Agreement signed by all of the parties hereto, or by their duly authorized representatives.

13. This Agreement is intended only to resolve the litigation between the Department and Respondents resulting from the Order to Show Cause filed under Docket No. SC04-01-018 on January 22, 2004.

14. This Agreement is made solely for the purpose of resolving the differences between the parties addressed herein, and nothing in this Agreement shall be construed as or constitutes an admission of liability by any party hereto or an admission of the validity or enforceability of any claims or demands released hereby.

15. For and in consideration of Respondents' release and discharge of the Commonwealth of Pennsylvania and the Department from any action, claim or demand arising out of the activities and conduct identified in or relating to the Order to Show Cause, the Commonwealth of Pennsylvania and the Department hereby release and discharge Respondent

from any claims in any court which the Commonwealth of Pennsylvania and/or the Department have or may have as a result of the allegations made in the Department's Order to Show Cause filed under Docket No. SC04-01-018 on January 22, 2004.

16. For and in consideration of the Commonwealth of Pennsylvania's and the Department's release and discharge of Respondents from any action, claim or demand arising out of the activities and conduct identified in or relating to the Order to Show Cause, Respondents hereby release and discharge the Commonwealth of Pennsylvania and the Department from any claims in any court which Respondents have or may have as a result of the allegations made in the Order to Show Cause filed under Docket No. SC04-01-018 on January 22, 2004.

17. Captions used herein are for convenience only, and are not a part hereof, and shall not be used in construing this Agreement.

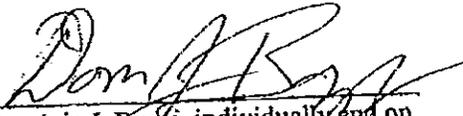
18. This Agreement shall be governed by, and construed in accordance with, the laws of the Commonwealth of Pennsylvania.

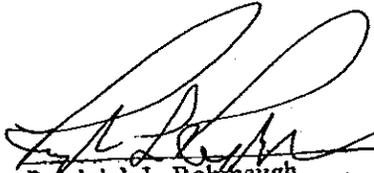
19. Within three (3) business days of the execution of this Agreement by all parties, the Department will file a request for discontinuance of this matter with the Administrative Hearings Office.

20. This Agreement shall be effective only upon execution by all of the named parties hereto. It is hereby understood, however, that the Agreement may be executed in counterparts, each of which shall be deemed an original, by which, when taken together, shall constitute one and the same instrument.

Executed this day and year indicated on the first page of this Agreement.

APR 28 2004 10:18 FR SERS 717 257 7516 717 257 7516 TO 3676H17944H85988 P.09/09


Dominic J. Bozzi, individually and on
behalf of Insurance Solutions Concept, Inc. and
Comprehensive Insurance Services, Inc.,
Respondents

 5/24/04
Randolph L. Rolabaugh
Deputy Insurance Commissioner
Commonwealth of Pennsylvania

Date 4/28/04