



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

1000 Washington St. • Boston, MA 02118  
(617) 521-7794 • FAX (617) 521-7475  
<http://www.mass.gov/doi>

CHARLES D. BAKER  
GOVERNOR

KARYN POLITO  
LIEUTENANT GOVERNOR

JAY ASH  
SECRETARY OF HOUSING AND  
ECONOMIC DEVELOPMENT

JOHN CHAPMAN  
UNDERSECRETARY

DANIEL R. JUDSON  
COMMISSIONER OF INSURANCE

October 2, 2015

David L. Morton  
11 Wethersfield Drive  
Andover, MA 01810

Re: SIU No. 9104

Dear Mr. Morton:

I represent the Massachusetts Division of Insurance (“Division”) with reference to the above referenced matter. I am in receipt of a statement you previously sent to Investigator Wendy Wilensky of the Division. Kindly direct all future correspondence to my attention.

The Division has reviewed various documents with regard to your former employer, New York Life (“NYL”). As you are aware, NYL terminated your employment with the company effective March 2015 based on an authorization issue regarding a client signature.

Based upon the Division’s investigation, it appears that you have violated the following Massachusetts insurance laws:

M.G.L. c. 175, § 162R(a)

(7) having admitted or been found to have committed any insurance unfair trade practice or fraud.

(8) using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in the commonwealth or elsewhere.

The penalty for each and every violation of M.G.L. c. 175, § 162R(a) is a fine of not more than \$1,000 pursuant to M.G. L. c.176D, § 7 and having the insurance producer license placed on probation, suspended or revoked.

M.G.L. c. 176D, § 2 – prohibits unfair methods of competition and unfair or deceptive acts or practices in the business of insurance in Massachusetts. The penalty for each violation is a fine of not more than \$1,000.

The Division is authorized to issue an order requiring you to show cause why you should not be made to cease and desist from the above-alleged conduct. If, after a public hearing, the Commissioner finds that you did commit the alleged violations, you may be liable for fines up to the amounts listed above and subject to having your Massachusetts insurance producer license placed on probation, suspended or revoked.

The Division proposes to resolve this matter through a settlement if you agree to cease and desist from the above alleged-conduct, agree to waive your right to a hearing, and agree to pay a fine of \$2,500. Your Massachusetts insurance producer license remains active and in good standing.

If you choose to accept the Division's offer please sign this settlement letter where provided below and return it to my attention, together with a check made payable to the Commonwealth of Massachusetts, no later than October 22, 2015. This will be a reportable administrative action.

Although this correspondence does not constitute the required statutory notice of a public hearing, if this matter is not resolved by October 22, 2015, the Division intends to file an Order to Show Cause and will notify you of the hearing date.

Thank you for your attention to this matter. Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me at (617) 521-7389.

Sincerely,

Robert J. Kelly  
Counsel to the Commissioner

SIGNED: \_\_\_\_\_  
David L. Morton

DATE: \_\_\_\_\_