



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

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COMMISSIONER OF INSURANCE

August 4, 2016

James J. Schweitzer  
5 County Squire Road  
Norfolk, Massachusetts 02056

RE: James J. Schweitzer – SIU Investigation No. 9085

Dear Mr. Schweitzer:

I represent the Massachusetts Division of Insurance (“Division”) with regard to the above-captioned investigation. Pursuant to an investigation conducted by the Division’s Special Investigations Unit, the Division has cause to believe that you have violated the Massachusetts insurance law set forth below by the conduct detailed in this settlement letter.

This case was opened on June 17, 2016, after the Division discovered you executed a settlement agreement with the Financial Industry Regulatory Authority (“FINRA”) on May 27, 2009, where you agreed to pay a \$5,000 fine and received a 12 month suspension from association with any FINRA member. Subsequently, on August 6, 2009, you completed a Uniform Renewal Application for Individual Producer License and answered “no” to question 2, which asked whether you had ever been involved in an administrative proceeding, including a FINRA sanction which had not been previously reported to the Division. Furthermore, on July 10, 2012 and on August 8, 2015, you again answered “no” to question 2 on your Uniform Renewal Application for Individual Producer License. Finally, you failed to report your settlement agreement with FINRA to the Division within thirty days.

The conduct described above is evidence of the following violations:

Providing incorrect, misleading, incomplete or materially untrue information in the license application, M.G.L. c. 175 § 162R(a)(1). Such conduct may result in your insurance license being placed on probation, suspended or revoked pursuant to M.G.L. c. 175 § 162R(a), as well as the imposition of a fine up to \$1,000 for each and every violation as provided under M.G.L. c. 176D, § 7.

A producer shall report to the Commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in the commonwealth within 30 days of the final disposition of the matter, M.G.L. c. 175 § 162V(a). Pursuant to M.G.L. c. 175, § 194, the penalty for each violation of M.G.L. c. 175, §162V (a) is a

fine of up to \$500.

The Division is authorized to issue an order requiring you to show cause as to why you should not be made to cease and desist from the above alleged conduct. If, after a public hearing, the Commissioner of Insurance finds that you did commit the alleged violations, he may impose a fine up to the amounts listed above and order that your Massachusetts Insurance Producer License be placed on probation, suspended or revoked.

The Division proposes to resolve this matter through a settlement if you agree to waive the right to a public hearing, agree to cease and desist from the above-alleged conduct and agree to pay a **fine of \$1,000**. If you choose to accept the Division's offer, please have an authorized individual sign this settlement letter where provided below and return it to my attention along with a check made payable to the Commonwealth of Massachusetts, no later than **August 26, 2016**.

The Division considers the acceptance of this settlement to constitute a reportable administrative event which should be included on your next Massachusetts producer license renewal application. You also may be required to report this action in other jurisdictions where you hold an insurance producer license. This Agreement shall be construed under and governed by the laws of the Commonwealth of Massachusetts.

Although this correspondence does not constitute the required statutory notice of a public hearing, if this matter is not resolved by **August 26, 2016**, the Division intends to file its Order to Show Cause and will notify you of the hearing date.

Thank you for your prompt attention to this matter. Should you have any questions or wish to discuss this matter further, I may be reached at (617) 521-7321 or Matthew.Burke@state.ma.us.

Sincerely,

Matthew M. Burke  
Counsel to the Commissioner

NAME: James J. Schweitzer

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

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