



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

1000 Washington Street • Suite 810 • Boston, MA 02118-6200
(617) 521-7794 • FAX (617) 521-7475
<http://www.mass.gov/doi>

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

JAY ASH
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

JOHN C. CHAPMAN
UNDERSECRETARY

GARY ANDERSON
ACTING COMMISSIONER OF INSURANCE

March 9, 2017

Lois Lane Insurance Agency, Inc.
C/O Joseph McGurn
P.O. Box 658
Middleton, MA 01949

RE: Lois Lane Insurance Agency, Inc.—Massachusetts License No. 2019064
SIU Investigation No. 9396

VIA FAX TO THOMAS A. MULLEN ((781) 245-9990)

Dear Mr. McGurn:

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 Lois Lane Insurance Agency, Inc. violated the Massachusetts insurance laws set forth below by the conduct detailed in this settlement letter.

This case was opened on January 26, 2017, after the Division discovered that the Lois Lane Insurance Agency Massachusetts insurance producer license expired October 26, 2016, and was not renewed until January 26, 2017. While unlicensed, Lois Lane Insurance Agency Rogers wrote 113 new and/or renewal policies, which represented \$103,999 in premiums, which generated \$15,442 in earned commissions.

The conduct described above is evidence of the following violations:

M.G.L. c. 175, § 162R (a)(2) . . . [t]he commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer’s license or may levy a civil penalty for . . . violating any insurance laws. Additionally, a violation is punishable by a fine up to one thousand dollars. M.G.L. c. 176D, § 7.

M.G.L. c. 175, § 175 . . . Whoever, not being duly licensed as an insurance agent or broker or as an adjuster of fire losses, represents or holds himself out to the public as being such an agent, broker, or adjuster, or as being engaged in the insurance business, by means of advertisements, cards, circulars, letterheads, signs, or other methods, or whoever, being duly licensed as such agent, broker, or adjuster, advertises as aforesaid or carries on such business in any other name than that

stated in his license, shall be punished by a fine of not less than ten nor more than one hundred dollars.

M.G.L. c. 176D, §2 – No person shall engage in this commonwealth in any trade practice which is defined in this chapter as, or determined pursuant to section six of this chapter to be, an unfair method of competition or an unfair or deceptive act or practice in the business of insurance. A violation is punishable by a fine up to one thousand dollars. M.G.L. c. 176D, § 7.

The Division is authorized to issue an order requiring you to show cause as to why Lois Lane Insurance Agency, Inc. should not be made to cease and desist from the above alleged conduct. If, after a public hearing, the Commissioner of Insurance finds that Lois Lane Insurance Agency, Inc. 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 \$1,695.00**. 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 **March 23, 2017**.

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 **March 23, 2017**, 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) 521-7471 or Scott.Peary@state.ma.us.

Sincerely,

Scott J. Peary
Chief Enforcement Counsel

Enclosure



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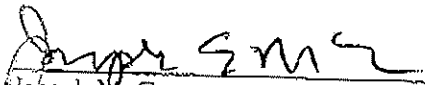
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1. Lois Lane Insurance Agency, Inc. agrees to immediately cease and desist from the conduct outlined in the Division's March 9, 2017 correspondence.
2. Lois Lane Insurance Agency, Inc. agrees to pay a \$1,695.00 fine by March 23, 2017. Such check shall be made payable to the Commonwealth of Massachusetts and returned, along with an original signed version of the instant settlement agreement, to:

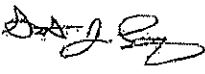
Massachusetts Division of Insurance
 C/O Scott Peary, Chief Enforcement Counsel
 1000 Washington Street, Suite 810
 Boston, MA 02118

3. Except as expressly set forth in this Agreement, the failure of the Division at any time to require strict performance by Lois Lane Insurance Agency, Inc. of any terms, provisions, or conditions hereof shall in no way affect the right thereafter to enforce the same, nor shall the waiver by the Division of any breach of any of the terms, provisions, and conditions hereof be construed or deemed a waiver of any succeeding breach of any term, provision, or condition thereof.
4. By executing and agreeing to the terms of the foregoing settlement agreement, the Division warrants and agrees not to take any further action, as it relates to the conduct outlined in the Division's March 9, 2017 correspondence.
5. In the event that the Division finds that there has been a breach of any provision of this Agreement, the Division may, in its discretion, pursue any and all legal remedies permitted by the Massachusetts insurance laws as well as any other appropriate law of the Commonwealth.
6. The provisions of this Agreement may be amended, modified, or expanded solely in writing by joint consent of the Division and Joseph McGurn, President, Lois Lane Insurance Agency, or his designated representative.

SIGNED:



 Joseph McGurn
 Lois Lane Insurance Agency, Inc.



 Commonwealth of Massachusetts
 Division of Insurance
 Scott Peary
 Chief Enforcement Counsel

Dated: 3/15/2017

Dated: March 9, 2017