

**STATE of NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

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**MAY 11 2009**

**NH INSURANCE DEPARTMENT**

**In RE: Louise Thacker**

**Docket No.: INS No. 09-029-EP**

**Consent Order and Agreement**

Louise Thacker ("Respondent") hereby stipulates, consents and agrees with the New Hampshire Insurance Department ("Department") as follows:

1. Respondent is an adjuster with Gallagher Bassett Services, Inc. ("Gallagher").
2. During February 2009, the Respondent was involved in and adjusted a Workers Compensation case, Deborah Mitchell v. Laidlaw Transit. Respondent was not licensed in New Hampshire when she performed this work.
3. Performing the duties of an adjuster when not licensed violates RSA 281-A:63, I and RSA 402-B:1, which state:

RSA 281-A:63, I

I. Any insurance carrier, self-insured employer or employer group, or claims adjusting company handling workers' compensation claims in this state shall utilize a claims adjuster licensed in New Hampshire and such claims adjuster shall maintain suitable facilities in this state.

RSA 402-B:1

It is unlawful for any person, whether as agent or employee, to act directly or indirectly, as an insurance claims adjuster in this state for any insurance company unless licensed as provided in this chapter.

4. RSA 402-B:13 provides the penalties for violating RSA 402-B:1:

"Any person who shall act within this state as an insurance claims adjuster without being licensed as herein provided ...shall:

- I. Be guilty of a misdemeanor if a natural person...; and
- II. Be subject to suspension or revocation of his license and a fine not to exceed \$2,500 for each violation."

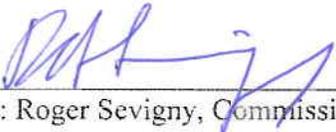
5. Respondent desires to resolve this matter by entering into this Consent Order and Agreement of the Insurance Commissioner ("Order") in lieu of proceeding with a formal hearing.

**AGREED ORDER**

1. Respondent waives her right to further notice and hearing in this matter.
2. Respondent shall pay an administrative penalty of Five Hundred Dollars (\$500) to the Department. This penalty shall be paid by a Gallagher company check, a bank cashiers check or a money order made payable to the Treasurer, State of New Hampshire. The administrative penalty shall be payable upon Respondent's execution of this Consent Order and Agreement.
3. Respondent shall cease and desist from all adjusting activity in New Hampshire and immediately seek licensure in New Hampshire as an adjuster. She shall obtain said license prior to adjusting any other cases in New Hampshire.
4. The Department and Respondent agree that all insurance regulatory issues relating to the aforementioned violation are fully resolved. However, nothing herein shall prohibit the use of this Consent Order and Agreement in any future enforcement actions brought by the Department based upon subsequent matters relative to Respondent's compliance with applicable insurance law and/or regulation.
5. This Consent Order and Agreement shall be fully enforceable in any Superior Court in the state of New Hampshire.

SO ORDERED.

New Hampshire Department Of Insurance

  
By: Roger Sevigny, Commissioner

Dated: 6-4-2009

AGREED.

Louise Thacker

  
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Dated: 5-1-09