

**STATE of NEW HAMPSHIRE
INSURANCE DEPARTMENT**

In RE: Tracee L. Mendoza

Docket No.: INS No. 07-071-EP

Consent Order and Agreement

Tracee L. Mendoza ("Respondent") hereby stipulates, consents and agrees with the New Hampshire Insurance Department ("the Department") as follows:

1. Respondent is a licensed insurance adjuster in the State of New Hampshire. Her license was issued on July 9, 2007. Respondent was a licensed adjuster prior to that date. However, that license expired on October 1, 2006. This caused a 10-month lapse.
2. During that 10-month period, Respondent performed adjuster duties and activities on a worker's compensation case involving John Boniface. There is evidence that Respondent also performed adjuster activities on three other cases during this period.
3. Performing the duties of an adjuster during the period when the Respondent no longer held a valid license in violation of RSA 402-B:13, which states, in relevant part:

"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."

4. The parties desire 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 One Thousand Five Hundred Dollars (\$1,500) to the Department. This fine shall be paid by check or 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. 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.
4. This Consent Order and Agreement shall be fully enforceable in any Superior Court in the state of New Hampshire.

SO ORDERED.

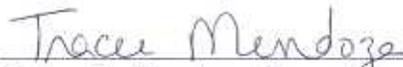
NEW HAMPSHIRE DEPARTMENT OF INSURANCE



By: ROGER SEVIGNY, COMMISSIONER

Dated: 9-27-07

AGREED.



Tracee L. Mendoza, Respondent

Dated: 10/8/07