

STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT

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NH INSURANCE DEPT.

APR 05 2017

In Re: Cathy LeBlanc-MacDonald

Docket No.: Ins. No. Docket 17-015-EP

Consent Order

This Consent Order ("Consent Order") is made between the New Hampshire Insurance Department ("NHID") and Cathy LeBlanc-MacDonald ("the Respondent"), the terms of which are as follows:

1. The Respondent acknowledges that she received proper notice of her rights to a formal administrative hearing pursuant to the Administrative Procedure Act, RSA 541-A:31.
2. The Respondent hereby waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order, contained herein, shall have the full force and effect of an Order duly entered in accordance with the adjudicatory procedures provided for in the Administrative Procedure Act, RSA 541-A:31, or any other applicable law.

FINDINGS OF FACT

3. The NHID finds true and correct each of the following Findings of Fact:
 - a. The Respondent is a resident New Hampshire insurance producer licensed to sell property and casualty insurance products. At all relevant times the Respondent was both an agent and an insured with Progressive Auto Insurance.
 - b. On July 5, 2016 the Respondent removed vehicle liability coverage from her 2002 Chevrolet Avalanche through Progressive's dedicated agent website, "ForAgentsOnly.com."

- c. On the morning of July 26, 2016, while operating the Chevrolet Avalanche, the Respondent struck and damaged a fire hydrant belonging to the Manchester Water Works.
- d. Later that same day the Respondent, again through the “ForAgentsOnly.com” website, added vehicle liability coverage back to the 2002 Chevrolet Avalanche and back-dated the policy start date to July 23, 2016. By back-dating the policy the Respondent made it appear that the Chevrolet Avalanche had liability coverage at time of the accident. This misconduct was discovered when the Manchester Water Works attempted to file a claim against the Respondent’s insurance policy. Progressive ultimately denied the claim.
- e. In an interview with Deputy Enforcement Counsel Mary Bleier and Senior Enforcement Investigator Donald Belanger, the Respondent admitted to adding the vehicle liability coverage to the Chevrolet Avalanche after the accident and back-dating the policy.

CONCLUSIONS OF LAW

- 4. In accordance with the above Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:
 - a. The Respondent is subject to the jurisdiction of the New Hampshire Insurance Department.
 - b. NH RSA 402-J:12, I, (h) states that, “the commissioner may place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license, or may levy a penalty in accordance with RSA 400-A:15, III or any combination of actions” for “(u)sing fraudulent, coercive, or dishonest practices, or demonstrating

incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.”

- c. The Respondent’s actions described in the preceding paragraphs violate NH RSA 402-J:12, I, (h).

ORDER

5. In accordance with the Findings of Fact and Conclusions of Law, the NHID orders and the Respondent consents to the following:

- A. The Respondent agrees that her conduct as described above violated RSA 402-J:12 I, (h) and agrees to pay an administrative fine in the amount of five hundred dollars (\$500). The check must be made payable to "Treasurer, State of New Hampshire," and should be mailed or hand-delivered to the attention of Carolyn Petersen, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301.
- B. In the event that the Respondent fails to meet any of the terms set forth in the preceding paragraph, the NHID may institute proceedings to revoke the Respondent’s New Hampshire insurance producer's license based on her failure to comply with the terms and conditions of this Consent Order.
- C. By entering into this Consent Order, the NHID and the Respondent intend to resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution, and is in lieu of any other action that could have been brought by the NHID relating to matters disclosed herein. Provided however, notwithstanding the foregoing, the

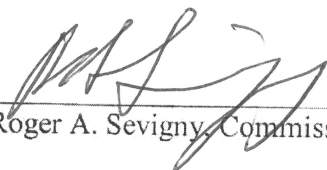
NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

- D. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any action to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.

IT IS SO ORDERED.

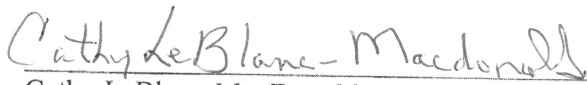
NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 4-17-17



Roger A. Sevigny, Commissioner

Date: 4-1-17



Cathy LeBlanc-MacDonald