



**BRUCE RAUNER**

Governor

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# NEWS

## Illinois Department of Insurance

**FOR IMMEDIATE RELEASE:**

Tuesday, December 22, 2015

### Illinois Department of Insurance Disciplinary Report for March 2015 - October 2015

**SPRINGFIELD – December 22, 2015.** The Illinois Department of Insurance today announced the following disciplinary actions:

#### **Revocation:**

**Latisha Bledsoe-Nathaniel, Chicago** – Director's Order from hearing #15-HR-0041, signed June 4, 2015, sustained the Order of Revocation from December 31, 2014. Ms. Bledsoe-Nathaniel had been licensed to sell casualty insurance since 2006. Ms. Bledsoe-Nathaniel's license was revoked after an investigation revealed she had filed documents with non-genuine signatures and a non-genuine notary stamp.

**Kirk D. West, Cherry Valley / F D West Insurance Agency, Inc., Rockford** – Director's Order signed October 6, 2015, sustained the Order of Revocation from June 27, 2015, and dismissed hearing #14-HR-0858. Mr. West had been licensed to sell casualty, health, and life insurance since 2003. F D West Insurance Agency, Inc. has been a licensed business entity since 2012. The Order includes allegations that the Business Entity and Licensee issued a fraudulent Certificate of Liability Insurance to the Illinois Secretary of the State's Office, failed to hold premium in a fiduciary capacity, failed to remit premium within the required timeframe, made improper disbursements from the Premium Fund Trust Account (PFTA), charged service fees without proper documentation, held premium in an interest-bearing account without proper authorization, and failed to properly designate the PFTA as such. The Order also assessed a civil penalty of \$50,000.00.

**Marcus J. Covington, Chicago** – Director's Order of Revocation signed July 13, 2015. Mr. Covington had been licensed to sell health and life insurance since 2010. Mr. Covington's license was revoked after an investigation revealed he had been terminated for cause from an insurer and the Licensee had misrepresented the actual proposed terms of an insurance policy or application. The Order included a civil penalty of \$2,000.00.

**Manuel E. Gil, Glenview** – Director's Order from hearing #14-HR-1194, signed June 17, 2015, sustained the Order of Revocation, from October 3, 2014. Mr. Gil had been licensed to sell life insurance since 2008. Mr. Gil's license was revoked after the Department proved he had submitted altered bank documents, paid premium to the company on behalf of multiple consumers, and submitted at least twenty-five applications with invalid names and/or invalid phone numbers. The Order included a civil penalty of \$7,000.00 and hearing costs in the amount of \$798.50.

**Guy T. Iantoni, Highland Park** – An Order of Voluntary Revocation was signed September 16, 2015. Mr. Iantoni had been licensed to sell health, life, and variable contracts since 1997. Mr. Iantoni's Voluntary Revocation included a penalty of \$2,000.00.

**Russel C. Cawthon, Willow Springs / Russ Cawthon Insurance Agency, LTD, Willow Springs** – Director's Order from hearing #14-HR-1281, signed October 15, 2015, sustained the Order of Revocation from November 11, 2014. Mr. Cawthon had been licensed to sell casualty, fire, health, and life insurance. The licenses of the Business Entity and Licensee were revoked after the Department proved that there were 17 unlawful disbursements from the Premium Fund Trust Account (PFTA) during the time period of June 1, 2011, through April 30, 2012, including 11 undocumented commission withdrawals. The Department also proved that the Licensee failed to properly label his PFTA as such. In addition to the revocation, the Order assessed a civil penalty of \$10,000.00 and hearing costs of \$717.50.

**Eulogio Fleites, Chicago** – An Order of Voluntary Revocation was signed October 28, 2015. Mr. Fleites had been licensed to sell casualty and fire insurance since 1987. The Order is based upon prior felony convictions, failure to report the convictions as required by the Illinois Insurance Code, and obtaining a license through misrepresentation or fraud.

#### **Suspension:**

**Robert J. Murray, Arlington Heights** – Director's Order of Suspension signed July 13, 2015. Mr. Murray had been licensed for to sell life and health insurance since 2014. Mr. Murray's license was suspended after an investigation revealed he was more than 30 days delinquent in making child support payments.

**John W. Gadau, Glen Ellyn** – Director's Order from hearing #15-HR-0277 was signed September 17, 2015. Mr. Gadau had been licensed to sell health insurance since 2011. The Order suspends Mr. Gadau's insurance producer license, and the suspension will remain in effect until he demonstrates to the satisfaction of the Department that the terms of his probation have been successfully completed and that he has not committed an act that would warrant further administrative action. The Order also assessed hearing costs of \$411.50.

**Kemp G. Pile, St. Charles** – Director's Order of Suspension from hearing #15-HR-0113 was signed September 18, 2015. Mr. Pile had been licensed to sell health and life insurance since 2006. The Order suspends Mr. Pile's license for 1 year for intentionally submitting a false insurance application in order to activate an employer group policy. The Order also included payments of hearing costs of \$324.00 and a civil penalty of \$500.00.

#### **Stipulation and Consent Order:**

**William Marshall, Chicago IL** – Stipulation and Consent Order signed March 13, 2015. Mr. Marshall has been licensed to sell life and health insurance since 2013. The Order includes allegations that Mr. Marshall failed to reveal a criminal conviction on a producer license application. The Order also assessed a civil penalty of \$1,000.00.

**Augustine S. Simpkins, Green, OH** – Stipulation and Consent Order signed April 24, 2015. Ms. Simpkins has been licensed to sell health, life, and variable contracts since 2007. The Order includes allegations that Ms. Simpkins submitted applications to an insurer that contained non-genuine signatures of a consumer as well as a supplemental health policy without the knowledge and consent of the consumer. The Order also assessed a civil penalty of \$5,000.00.

**John E. Watson, Osage Beach, MO** – Stipulation and Consent Order signed May 18, 2015. Mr. Watson has been licensed to sell health, life, and variable contracts since 1991. The Order includes allegations that Mr. Watson was issued a Consent Order of Prohibition, Revocation, and Fine from the Secretary of State and was revoked to further sell securities in the State of Illinois. The Order also assessed a civil penalty of \$1,500.00.

**Leslie M. Anderson, Belvidere** – Stipulation and Consent Order signed May 21, 2015. Ms. Anderson has been licensed to sell casualty, fire, health, life, and variable contracts since 2003. The Order includes allegations that Ms. Anderson submitted two insurance related documents to an insurer that contained a non-genuine signature of a consumer. The Order also assessed a civil penalty of \$750.00.

**Sean Clarey, Frankfort** – Stipulation and Consent Order signed May 21, 2015. Mr. Clarey has been licensed to sell fire, health, and life insurance since 2007. The Order includes allegations that Mr. Clarey signed an annuity application although he was not present when the annuity application was solicited or completed and that he made inconsistent statements concerning his knowledge of the matter during the course of the Department's investigation. The Order also assessed a civil penalty of \$5,000.00.

**Elizabeth A. Bertucci, Chicago / The Bertucci Agency, Inc., Chicago** – Stipulation and Consent Order signed June 12, 2015. Ms. Bertucci has been licensed to sell casualty, fire, health, and life insurance since 2007. The Bertucci Agency, Inc. has been a licensed business entity since 2008. The Order includes allegations that Ms. Bertucci and The Bertucci Agency, Inc. misappropriated monies required to be held in a fiduciary capacity, did not forward premium in the time frame required by the insurer, did not credit an insured's account or issue a refund within 15 days of receipt, and did not maintain positive running balances in the Premium Fund Trust Account. The Order also assessed a civil penalty of \$5,000.00.

**Don F. Frank, Bloomington, / Capen Frank Proctor & Bowles, Inc., Bloomington** – Stipulation and Consent Order signed June 17, 2015. Mr. Frank has been licensed to sell casualty, fire, health, and life insurance since 1985. Capen Frank Proctor & Bowles, Inc. has been a licensed business entity since 1988. The Order included allegations that Mr. Frank and Capen Frank Proctor & Bowles, Inc. misappropriated funds required to be held in a fiduciary capacity, had negative balances in a Premium Fund Trust Account, failed to maintain sufficient records, and wrote a policy for a consumer that failed to provide appropriate coverage. The Order also assessed a civil penalty of \$15,000.00.

**Haneen Ghouleh, Oak Brook / Accurate Insurance Services Inc., Bridgeview** – Stipulation and Consent Order signed June 25, 2015. Ms. Ghouleh has been licensed to sell casualty and fire insurance since 1992. Accurate Insurance Services Inc. has been a licensed business entity since 1994. The Order includes allegations that Ms. Ghouleh and Accurate Insurance Services Inc. failed to maintain positive running balances in the PFTA, failed to pay the insured or credit the insured's account within 15 days after receipt, and transferred monies from the PFTA without matching and identifying commissions. The Order also assessed a civil penalty of \$10,000.00.

**James J. Patrick, Naperville / People's Choice Insurance, Chicago** – Stipulation and Consent Order signed June 30, 2015. Mr. Patrick has been licensed to sell casualty and fire insurance since 2004. People's Choice Insurance has been a licensed business entity since 2004. The Order includes allegations that People's Choice Insurance failed to maintain the minimum balance in their PFTA on several occasions, misappropriated funds required to be held in a fiduciary capacity, made unlawful disbursements from the Premium Fund Trust Account (PFTA), and failed to properly designate the PFTA as such on bank statements. The Order also assessed a civil penalty of \$5,000.00.

**Haneen Ghouleh, Bridgeview / Accurate Payment Plan Inc., Bridgeview** – Stipulation and Consent Order signed July 21, 2015. Ms. Ghouleh has been licensed to sell casualty and fire insurance since 1992. Accurate Payment Plan Inc. has been a licensed business entity since 1995. The Order includes allegations that the Licensee and Premium Finance Company did not have the written authority from all the companies they wrote business with to pay the producer directly. The Order also assessed a civil penalty of \$500.00.

**Paul F. Berlin, Chicago** – Stipulation and Consent Order signed August 3, 2015. Mr. Berlin has been licensed to sell health, life, and variable contracts since 1985. The Order includes allegations that Mr. Berlin made a premium payment on a policy belonging to one of his clients. The Order also assessed a civil penalty of \$2,500.00.

**Christopher M. Hard, Alton** – Stipulation and Consent Order signed August 3, 2015. Mr. Hard has been licensed to sell health and life insurance since 2006. The Order includes allegations that Mr. Hard submitted an application for insurance that included inaccurate or untruthful information. The Order also assessed a civil penalty of \$1,500.00.

**Xavier Zinninger, Chicago / Centro Hispano Insurance Agency Corp., Chicago** – Stipulation and Consent Order signed August 12, 2015. Mr. Zinninger has been licensed to sell casualty, fire, health, and life insurance since 2005. Centro Hispano Insurance Agency Corp. has been a licensed business entity since 1994. The Order includes allegations that Mr. Zinninger and Centro Hispano Insurance Agency Corp. improperly withheld insurance premium required to be held in a fiduciary capacity. The Order also assessed a civil penalty of \$2,000.00.

**Kathy Speiwak, Medinah** – Stipulation and Consent Order signed September 1, 2015. Ms. Speiwak has been licensed to sell casualty, fire, health, life, and variable contracts since 2000. The Order includes allegations that Ms. Speiwak failed to witness signatures on insurance related documents in the presence of the proposed insureds. The Order also assessed a civil penalty of \$1,000.00.

**Jose J. Perez, Orland Park** – Stipulation and Consent Order signed September 8, 2015. Mr. Perez has been licensed to sell casualty, fire, life, health, and variable contracts since 1993. The Order includes allegations that Mr. Perez impersonated or caused to be impersonated an individual involved in an insurance transaction. The Order also assessed a civil penalty of \$3,500.00.

**Kenneth R. Bello, Naperville** – Stipulation and Consent Order signed September 29, 2015. Mr. Bello has been a licensed public adjuster since 2015. The Order includes allegations that Mr. Bello represented that he was an employee of the Illinois Department of Insurance. The Order also assessed a civil penalty of \$3,000.00.

**Estrellita A. Brackshaw, Skokie** – Stipulation and Consent Order signed October 1, 2015. Ms. Brackshaw has been licensed to sell casualty, health, and life insurance since 2006. The Order includes allegations that Ms. Brackshaw allegedly funded annuities using monies from existing annuities and failed to submit proper documentation as to whether or not such transactions would replace an existing annuity. The Order also assessed a civil penalty of \$5,000.00.

**Denial Following Hearing:**

**Benjamin Muoghalu, Naperville** – Insurance producer license denial sustained per Director’s Order from hearing #15-HR-0109 effective June 4, 2015. Mr. Muoghalu’s application for a license was denied after an investigation revealed felony convictions from 2010. The Order also assessed hearing costs of \$376.50.

**Daryl Hale, Naperville** – Insurance producer license denial sustained per Director’s Order from hearing #15-HR-0254 effective June 22, 2015. Mr. Hale’s application for a license was denied after an investigation revealed felony convictions from 1984, 1985, and 1991. The Order also assessed hearing costs of \$222.00.

**Nancy Grzesiak, Carpentersville** – Insurance producer license denial sustained per Director’s Order from hearing #15-HR-0220 effective August 24, 2015. Ms. Grzesiak was previously licensed to sell casualty, fire, health, and life insurance. The Order of Denial was sustained after it was proven Ms. Grzesiak previously collected premium from three consumers, deposited the money into her account, and failed to forward the premium to the insurer. The Department also proved that she intentionally answered questions on her application incorrectly and attempted to obtain a license through misrepresentation or fraud.

**More Information:**

The Department’s mission is to protect consumers by providing assistance and information, by efficiently regulating the insurance industry’s market behavior and financial solvency, and by fostering a competitive insurance marketplace. The Illinois Department of Insurance assists consumers with all insurance complaints, including health, auto, life, and homeowner. Consumers in need of information or assistance should visit the Departments website at [insurance.illinois.gov](http://insurance.illinois.gov) or call our toll-free hotline at (866) 445-5364.

For individual disciplinary orders, please visit <http://insurance2.illinois.gov/applications/DirectorsOrders/>.