

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JULY 17, 2006

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COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2006-00194

MARSH USA, INCORPORATED,

Defendant

SETTLEMENT ORDER

Based on an investigation conducted by the Bureau of Insurance, it is alleged that the Defendant, duly licensed by the State Corporation Commission ("Commission") to transact the business of insurance in the Commonwealth of Virginia, violated §§ 38.2-1809 B, 38.2-1813 A, and 38.2-1839 A of the Code of Virginia, by failing to retain all records relative to insurance transactions for the three (3) previous calendar years, by failing to pay funds to insureds in the ordinary course of business, and by failing to enter into written contracts with clients prior to any act as a consultant.

The Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1831 of the Code of Virginia to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke the Defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that the Defendant has committed the aforesaid alleged violations.

The Defendant has been advised of its right to a hearing in this matter, whereupon the Defendant, without admitting any violation of Virginia law, has made an offer of settlement to the Commission wherein the Defendant has tendered to the Commonwealth of Virginia the sum of one hundred fifty thousand dollars (\$150,000), waived its right to a hearing, and agreed to the

entry by the Commission of a cease and desist order in connection with §§ 38.2-1809 B and 38.2-1813 A of the Code of Virginia.

The Bureau of Insurance has recommended that the Commission accept the offer of settlement of the Defendant pursuant to the authority granted the Commission in § 12.1-15 of the Code of Virginia.

THE COMMISSION, having considered the record herein, the offer of settlement of the Defendant, and the recommendation of the Bureau of Insurance, is of the opinion that the Defendant's offer should be accepted.

IT IS THEREFORE ORDERED THAT:

(1) The offer of the Defendant in settlement of the matter set forth herein be, and it is hereby, accepted;

(2) The Defendant cease and desist from any conduct which constitutes a violation of §§ 38.2-1809 B or 38.2-1813 A of the Code of Virginia; and

(3) The papers herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to Chris Schutt, Managing Director, Marsh & McLennan, Three James Center, Suite 900, Richmond, Virginia 23219; Thomas K. Norment, Jr., Esquire, Kaufman & Canoles, P.O. Box 6000, Williamsburg, Virginia 23188; David N. Anthony, Esquire, Kaufman & Canoles, P.O. Box 27828, Richmond, Virginia 23219; and the Bureau of Insurance in care of Deputy Commissioner Brian P. Gaudiose.