

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 7002-AG08-0602-158

IN THE MATTER OF: )  
 )  
Maximilian Title Corporation, )  
Respondent, )  
 )  
504 Broadway, Suite 523 )  
Gary, Indiana 46402 )  
 )  
License Number: 2592170 )  
Type of Action: Enforcement )

**FILED**

JUN 06 2008

STATE OF INDIANA  
DEPT. OF INSURANCE

**ORDER GRANTING EMERGENCY CEASE AND DESIST ORDER**

The Indiana Commissioner of Insurance, having reviewed the Title Insurance Division's Petition for Emergency Cease and Desist Order, and being otherwise duly advised, now finds as follows:

**FINDINGS OF FACT**

1. The Department of Insurance is authorized to regulate the practice of title insurance in Indiana under Indiana Code §27-1.
2. The Respondent is a duly licensed title insurance producer in the State of Indiana.
3. The Respondent's agency contract was terminated by its underwriter, United General Title Insurance Company ("United General"), for improperly withholding, misappropriating, or converting monies received in the course of doing insurance business on or about April 28, 2008.

4. United General notified the Department of its termination of Respondent's agency agreement and also notified the Department that Respondent failed to pay off prior mortgages as indicated on HUD-1 Settlement Statements and instead made monthly payments to keep the mortgages current.

5. The Respondent, Maximilian Title Corporation has improperly withheld, misappropriated, or converted monies received in the course of doing insurance business.

### **CONCLUSIONS OF LAW**

6. An emergency exists in that Respondent continues to possess an active title insurance producer license, which enables it to provide real estate settlement, escrow and insurance services to consumers in the State of Indiana.

7. In an emergency, the Commissioner may issue appropriate orders without notice or an evidentiary proceeding under Indiana Code 4-21.5-4-2(a), which states in relevant part:

The agency shall issue the order under this chapter by one (1) of the following procedures:

- (1) Without notice or an evidentiary proceeding, by any authorized individual or panel of individuals. . . .

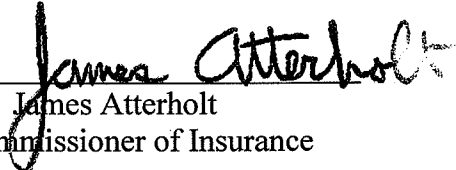
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**ORDER**

It is, therefore, ORDERED, that Respondent, Maximilian Title Corporation, CEASE AND DESIST from providing the above described services and in any way violating the insurance laws of Indiana.

Pursuant to Indiana Code §4-21.5-4-2, this order remains effective for 90 days commencing on the date this order is issued.

Respondent is hereby notified of its right to a hearing concerning this order as quickly as practicable under Indiana Code §4-21.5-4-4.

  
James Atterholt  
Commissioner of Insurance

Distribution to:

Jacquelyn L. Hunter  
Maximilian Title Corporation  
P.O. Box 12175  
Merrillville, Indiana 46410

Kathy Hulbert, Attorney  
Title Enforcement Division  
Indiana Department of Insurance  
311 W. Washington St.  
Indianapolis, IN 46402

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**PETITION FOR EMERGENCY CEASE AND DESIST ORDER**

The Title Insurance Division of the Indiana Department of Insurance (hereafter "Department"), pursuant to Indiana Code §4-21.5-4, and files its Petition for an Emergency Cease and Desist Order against Maximilian Title Corporation., (hereafter "Respondent") and states:

1. The Respondent is a duly licensed title insurance producer in the State of Indiana.
2. The Respondent's agency contract was terminated by its underwriter, United General Title Insurance Company ("United General"), for improperly withholding, misappropriating, or converting monies received in the course of doing insurance business on or about April 28, 2008.
3. United General notified the Department of its termination of Respondent's agency agreement, in accordance with IC 27-1-15.6-15(a), and also notified the Department that Respondent failed to pay off prior mortgages as indicated on consumer

HUD-1 Settlement Statements and instead made monthly payments to keep the mortgages current.

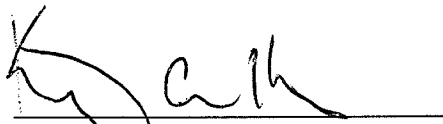
4. United General has reported that the missing funds total between \$300,000.00-\$400,000.00.

5. An affidavit signed by Title Insurance Investigator, Mike Trimble, is attached and incorporated into this document as Exhibit "A", attesting to the facts stated above.

6. Under Indiana Code §4-21.5-4-2(a) (1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. (Upon issuance of an emergency order, the Respondent may request a hearing as quickly as practicable under Indiana Code §4-21.5-4-4.)

7. The Respondent must Cease and Desist from providing insurance, settlement and escrow services to consumers in the State of Indiana.

WHEREFORE, the Department requests that the Commissioner issue an Emergency Cease and Desist Order against the Respondent under Indiana Code §4-21.5-4-2, and for all other necessary and proper relief in the premises.

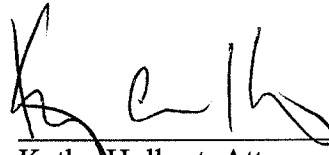
  
Kathy Hulbert #23529-49A  
Attorney  
Title Division

Indiana Department of Insurance  
311 West Washington Street  
Suite 300  
Indianapolis, IN 46204-2787  
(317)418-9660-telephone  
(317)232-5251-facsimile

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing has been served upon the Respondent by mailing this 6<sup>th</sup> day of June, 2008.

Jacquelyn L. Hunter  
Maximilian Title Corporation  
P.O. Box 12175  
Merrillville, Indiana 46410



Kathy Hulbert, Attorney  
Attorney # 23529-49A

Title Insurance Division  
Indiana Department of Insurance  
311 West Washington  
Indianapolis, IN 46204-2787

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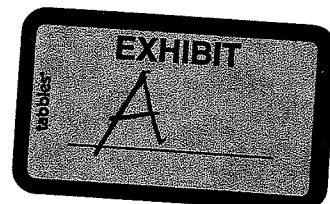
JUN 05 2008

STATE OF INDIANA  
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**AFFIDAVIT OF MIKE TRIMBLE**

I, Mike Trimble, having been first duly sworn, state:

1. I am an Investigator for the Title Insurance Division of the Indiana Department of Insurance ("Department").
2. I have personally reviewed a letter from United General Title Insurance Company, notifying the Department, pursuant to IC 27-1-15.6-15(2), of their termination of their agency contract with the Respondent for "improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business."
3. I have determined that Respondent closed several real estate transactions on Indiana properties and failed to pay off prior mortgages.



I affirm, under the penalties for perjury, that the foregoing representations are true

Mike Trimble

Mike Trimble

LINDA REYNOLDS

Notary Public

Signed and sworn to  
before me on June 4, 2008.

Linda Reynolds

Notary Public

My Commission expires on 8-13-15.