

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO:

IN THE MATTER OF:)
)
VILLAGE TITLE, INC.)
333 N. PENNSYLVANIA ST,SUITE 510)
INDIANAPOLIS , Indiana 46204)
)
Indiana Insurance License No. 36603)
)
Respondent.)
)

FILED

OCT 16 2008

STATE OF INDIANA
DEPT. OF INSURANCE

ORDER GRANTING EMERGENCY SUSPENSION

The Indiana Commissioner of Insurance (“Commissioner”), having reviewed the Title Insurance Division's Motion for Emergency Suspension, and being otherwise duly advised, now finds as follows:

FINDINGS OF FACT

1. Respondent currently holds title insurance qualifications in Indiana.
2. Respondent’s escrow accounts have a negative balance and several checks have been returned for non-sufficient funds in the escrow account..
3. Respondent has employed an individual, who has a felony theft conviction and no Consent from the Commissioner, as required by 18 USC § 1033.

CONCLUSIONS OF LAW

4. An emergency exists in that Respondent holds an Indiana insurance producer license, is the trustee of title insurance escrow accounts with the large sums of

money held for the benefit of Indiana consumers and may plan to continue selling insurance, thereby placing it in a position of trust with consumers and their funds.

5. 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.

ORDER

It is, therefore, ORDERED, that the Indiana insurance producer license of Village Title, Inc. (license number 36603) is hereby SUSPENDED pursuant to Indiana Code 4-21.5-4-2 for 90 days commencing on the date this order is issued.

The 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
Indiana Department of Insurance

Distribution to:

Kathy Hulbert, Attorney
Title Insurance Division
Indiana Department of Insurance
311 W. Washington St., Suite 300
Indianapolis, IN 46402

Charles David Pumphrey
PUMPHREY & MANLEY
302 N. Alabama Street
Indianapolis, IN 46004

STATE OF INDIANA)
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BEFORE THE INDIANA
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CAUSE NO: 7480-CO08-1009-027

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OCT 16 2008

STATE OF INDIANA
DEPT. OF INSURANCE

PETITION FOR EMERGENCY SUSPENSION

The Title Insurance Division of the Indiana Department of Insurance (“Department”), pursuant to Indiana Code 4-21.5-4, Indiana Code 27-1-15.6-12 and Indiana Code 27-1-3.1 *et seq.*, files its petition for emergency suspension against the title insurance producer license of Village Title, Inc. (“Respondent”), and states:

1. The Respondent is a title insurance producer holding license number 36603. Respondent’s principal place of business is 333 N. Pennsylvania, Suite 510, Indianapolis, IN 46204. Respondent also has a branch location at 40 Executive Drive, Suite A, Carmel, IN 46032.
2. At the time of the filing of this pleading, Respondent’s escrow accounts have a negative balance and several checks have been returned for non-sufficient funds.
3. The Department has received information that Respondent employed an individual named Kevin Cameruca (“Cameruca”) and that Cameruca has a physical office located within the downtown branch.

4. Cameruca has access to the operating and escrow accounts of Respondent and writes checks on these accounts, including checks to Cameruca's consulting service "Cameruca Consulting, Inc."

5. The Department has also received information confirming that Cameruca pled guilty to and was convicted under Ohio Code 2913.02 "Theft," a second degree felony in Columbus, Ohio on or about May 21, 1998. Attached is an affidavit of Mike Trimble, Investigator for the Department, labeled as "Exhibit A", attesting to this criminal conviction.

6. In order for an individual who has been convicted of a felony to work in the business of insurance, the individual must request that that state insurance commissioner grant a Consent under 18 USC § 1033 ("1033 Consent").

7. The Commissioner of the Indiana Department of Insurance ("Commissioner") has not received an application from Cameruca for the 1033 Consent and has not granted Cameruca a 1033 § Consent allowing him to be employed in the business of insurance in Indiana.

8. The Department has serious consumer protection concerns regarding Respondent and its employee, Cameruca.

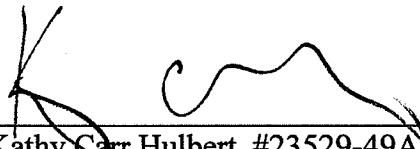
9. An emergency exists in that Respondent has a valid Indiana insurance producer license and is the trustee of escrow accounts holding large sums of money for the benefit of others, including Indiana consumers.

10. 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.

11. Respondent's insurance producer license should be suspended on an emergency basis for a period of ninety (90) days or until terminated by the Commissioner.

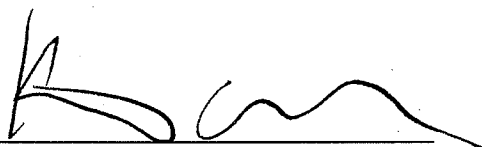
WHEREFORE, the Department requests that the Commissioner issue an order suspending the insurance license of Village Title, Inc. under Indiana Code §4-21.5-4-2, and for all other necessary and proper relief.


Kathy Carr Hulbert, #23529-49A
Managing Attorney
Title Insurance Division

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon Respondent's counsel at the address listed below by United States First Class mail, postage prepaid, this 15th day of October, 2008.

Charles David Pumphrey
PUMPHREY & MANLEY
302 N. Alabama Street
Indianapolis, IN 46004


Kathy Carr Hulbert, #23529-49A

**Title Insurance Division
Indiana Department of Insurance
311 West Washington
Indianapolis, IN 46204-2787
(317) 234-5151**

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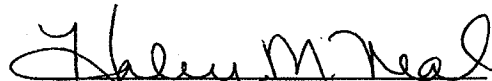
AFFIDAVIT OF MIKE TRIMBLE

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

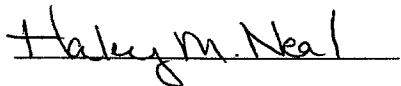
1. I am an investigator for the Title Insurance Division of the Indiana Department of Insurance.
2. I have discovered that Kevin Cameruca pled guilty to and was convicted of "Theft," a second degree felony in Columbus, Ohio on or about May 21, 1998.

I hereby declare, under the penalties of perjury, that the facts stated in this affidavit are personally known to me, and that they are true.


Mike Trimble


Notary Public

Signed and sworn to
before me on October 5, 2008.



Notary Public

My Commission expires on 8/28/2014

Marion County

