

NOTICE OF CIVIL FINE

August 31, 2018

Certified Mail/Return Receipt Requested (No. 7011 2970 0003 1744 0307)

TO: James R. Loomis, President, Director, and Owner
The Loomis Company
850 N. Park Road
Wyomissing, PA 19610

WHEREAS, IT HAS COME TO MY ATTENTION, as Commissioner of ("Commissioner") of the Louisiana Department of Insurance ("LDI"), that The Loomis Company ("you" or "your") has violated certain provisions of the Louisiana Insurance Code, Title 22, La. R.S. 22:1, et seq. Accordingly, pursuant to the power and authority vested in me as Commissioner, I hereby issue this Notice of Civil Fine based on the following, to wit:

1.

You entered into a notice of contract with United States Fire Insurance Company to serve as a third party administrator. The notice of contract between you and United States Fire Insurance Company took effect on April 1, 2011.

2.

You also entered into a contract with Independence American Insurance Company to serve as its third party administrator. The notice of contract between you and Independence American Insurance Company took effect on August 1, 2016.

3.

At the time when you entered into the above-mentioned contracts, you did not have a valid third party administrator license issued by the LDI.

4.

On June 18, 2018, you submitted an application to act as a third party administrator in the state of Louisiana.

5.

After you submitted your application to become a licensed third party administrator, LDI requested additional documentation supporting your application and clarification of information in the application. In your written responses, you admitted to carrying out the conduct in question.

VIOLATIONS OF THE LOUISIANA INSURANCE CODE

6.

When you held yourself out to be a third party administrator in Louisiana in 2011 and 2016, you violated La. R.S. 22:1651 (A), which states that “no person shall act as, or offer to act as, or hold himself out to be an administrator in this state without a valid license as an administrator issued by the commissioner.”

AUTHORITY OF THE COMMISSIONER OF INSURANCE

7.

The Louisiana Insurance Code, Title 22, La. R.S. 22:1 et seq., authorizes the Commissioner to investigate the affairs and professional conduct of every person engaged in the business of insurance to determine whether such person has been or is engaged in an unfair or deceptive act or practice prohibited by the Louisiana Insurance Code. It is determined that The Loomis Company has committed these violations of the Louisiana Insurance Code.

CIVIL FINE

8.

Pursuant to La. R.S. 1651(A), the Commissioner may impose a fine against any person who acts as an administrator without a valid license. You are fined **Ten Thousand Dollars (\$10,000.00)**, due and payable to the “State of Louisiana – Department of Insurance,” within thirty (30) days following your receipt of this Notice of Civil Fine.

NOTICE OF APPEAL

9.

You have the right to appeal this Notice of Civil Fine and to be granted an administrative hearing before the Division of Administrative Law. If you wish to appeal, you must make a written demand for an appeal within thirty (30) days from the date you receive this Notice of Civil Fine.

Failure to file a written demand for an appeal within thirty (30) days from the date you receive this Notice of Civil fine will preclude your right to an administrative hearing before the Division of Administrative Law. Should you fail to timely request a hearing, the actions to be taken by the Commissioner described in this Notice shall become permanent and not subject to further appeal. Pursuant to La. R.S. 22:2191(B), your written demand for an appeal (1) shall reference the particular sections of the statutes and rules involved, (2) shall provide a short and plain statement of matters asserted for review, and (3) shall attach a copy of the order or decision of the Commissioner that you are appealing. Your written demand for an appeal **MUST** be filed with **BOTH** the Division of Administrative Law **AND** the Louisiana Department of Insurance at the addresses shown below:

Division of Administrative Law
Attn: Clerk of Court
P.O. Box 44033
Baton Rouge, LA 70804-4033
Telephone: (225) 342-1800
Fax: (225) 342-1812

Louisiana Department of Insurance
Attn: Carol Fowler-Guidry, Dep. Gen. Counsel
P.O. Box 94214
Baton Rouge, LA 70804-9214
Telephone: (225) 342-4483
Fax: (225) 342-1632

File in Person at:
1020 Florida Street
Baton Rouge, LA 70802

File in Person at:
1702 N. Third Street
Baton Rouge, LA 70802

JAMES J. DONELON
COMMISSIONER OF INSURANCE
LOUISIANA DEPARTMENT OF INSURANCE


BY:



Matthew Stewart
Deputy Commissioner
Division of Insurance Fraud
P.O. Box 94214
Baton Rouge, LA 70804-9214
Telephone: (225) 342-4956
Fax: (225) 342-7393

CERTIFICATE OF SERVICE

I hereby certify that I have served this Notice of Civil Fine upon The Loomis Company by causing the Notice to be sent via the United States Mail, postage prepaid, and properly addressed to James R. Loomis, CEO, on August 31, 2018.



Monica Derbes Gibson