#### STATE OF ILLINOIS IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL DISTRICT BOONE COUNTY, ILLINOIS

RMS INSURANCE SERVICES, INC., an Illinois corporation d/b/a FLANDERS INSURANCE AGENCY, INC., and OWEN G. COSTANZA, an individual,	) ) )		
Plaintiffs,	)		
VS.	)	CASE NO.	2021-L-30
DONALD G. SATTLER, an individual, MARION THORNBERRY, an individual, ELISABETH M. RODGERS, an individual, and and CHERYL RUSSELL-SMITH, an individual,	) ) )		
Defendants.	)		

DEFENDANT'S, DONALD G. SATTLER, MARION
THORNBERRY, and ELISABETH M. RODGERS,
735 ILCS 5/2-615 MOTION TO DISMISS
COUNTS I, II, AND III, OF THE COMPLAINT
INTENTIONAL INTERFERENCES WITH A PROSPECTIVE
ECONOMIC ADVANTAGE

NOW COME the Defendants, DONALD G. SATTLER, MARION THORNBERRY, and ELISABETH M. RODGERS, by their attorney, TRENT M. FERGUSON, and for their 735 ILCS 5/2-615 Motion to Dismiss Counts I, II, and II of the Complaint, filed herein against the Plaintiffs, RMS INSURANCE SERVICES, INC., an Illinois corporation d/b/a FLANDERS INSURANCE AGENCY, INC., and OWEN G. COSTANZA, an individual, state as follows:

1. That a Section 2-615 motion argues that the plaintiff has not alleged a set of facts, under any circumstances, that would entitle him or her to relief. *Marshall v. Burger King Corp.*, 222 Ill. 2d 422, 429 (2006)

- 2. That to state a cause of action for intentional interference with prospective economic advantage, a plaintiff must allege (1) a reasonable expectancy of entering into a valid business relationship, (2) the defendant's knowledge of the expectancy, (3) an intentional and unjustified interference by the defendant that induced or caused a breach or termination of the expectancy, and (4) damage to the plaintiff resulting from the defendant's interference. *Voyles v. Sandia Mortg. Corp.*, 196 Ill. 2d 288, 289 (2001)
  - That Plaintiffs' claim fails on all four elements.
- 4. That in *Chicago's Pizza, Inc.*, the court stated that the first element requires the plaintiff to "specifically identify [third] parties who actually contemplated entering into a business relationship with him." *Chicago's Pizza, Inc. v. Chicago's Pizza Franchise Ltd. USA*, 384 Ill. App. 3d 849, 862 (1st dist. 2008) quoting *Intervisual Communs. v. Volkert*, 975 F. Supp. 1092 at 1103 (N.D. Ill. 1997). If a plaintiff were not required to specifically identify parties who actually contemplated entering into a business relationship with him, "'liability under a theory of tortuous interference with prospective business expectancies would be virtually without limit and impossible to calculate." *Id.*, citing *Intervisual*, 975 F. Supp. at 1103, quoting *Celetex Group*, *Inc. v. Executive Gallery*, 877 F. Supp. 1114, 1125-26 (N.D. Ill. 1995)
- 5. That in their Complaint, the Plaintiffs fail to identify a single party in which they had contemplated entering into a business relationship with. Instead, the Plaintiffs repeatedly allege they had "business expectancies in the community at large." Plaintiffs' Complaint, page 14, paragraph 57, page 15, paragraph 63, page 17, paragraph 70, and page 25, paragraph 111.

- 6. That, for the same reasons, the Plaintiffs fail to meet the second element of the Defendants' knowledge of the expectancy.
- 7. That the Plaintiffs' claim founders on the third element, the requirement that the Plaintiffs show an intentional and unjustified interference by the Defendants.
- 8. That the interference alleged by the Plaintiffs are the allegedly false published statements. The statements in the Flyer, including the statements that the Plaintiff, OWEN G. COSTANZA ("OWEN"), is a "repeat criminal" and has a "criminal record" are, however accurate: OWEN pled guilty to filing a false police report, OWEN pled guilty to writing a bad check, OWEN pled guilty to drunk driving. As such, they cannot represent an unjustified interference with the Plaintiff's prospective business expectancy.
- 9. That the allegations in the flyer are each set forth herein, as well as a description of the factual basis for each allegation:
- A. Allegation #1: "1995 Pleads Guilty to Filing a False Police Report in Boone County." Court records indicated that in Boone County Case Number 1995-CM-170 the Plaintiff, OWEN G. COSTANZA, pled guilty to a "False Report of Offense" and was sentenced to a fine and public service. The Court later entered a "withhold judgment/court supervision" disposition for the case. Attached hereto as "Exhibit G" are three pages from the 17<sup>th</sup> Judicial Circuit Court of Boone County's website showing OWEN G. COSTANZA's guilty plea in Case Number 1995-CM-170.
- B. Allegation #2: "1999 Terminated from Liberty Insurance for Fraud Misrepresentation." Public records obtained from the State of Wisconsin indicate OWEN G. COSTANZA was terminated under Codes 15 and 17, which identify as "fraud" and

"misrepresentation" according to the State. The last page is a short statement on the actual reason(s) for termination as allegedly reported by the employer. Attached hereto as "Exhibit H"are three pages from the State of Wisconsin regarding OWEN G. COSTANZA's termination from Liberty Insurance.

- C. Allegation #3: "1999 Pleads Guilty Writing Bad Checks in Boone County" Court records indicate that in Boone County Case Number 1999-CM-557, OWEN G. COSTANZA did, in fact, enter a guilty plea on January 27, 2000. The Court later entered a "conditional discharge order and additional conditions order" disposition for the case. Attached hereto as "Exhibit I" are three pages from the 17th Judicial Circuit Court of Boone County's website showing OWEN G. COSTANZA's guilty plea in Case Number 1999-CM-657.
- D. Allegation # 4: "2000 Home Foreclosure in Boone County" Court records indicate that in Boone County Case Number 1999-CH-145, OWEN G. COSTANZA's home was, in fact, foreclosed on, with the Court confirming the sale and ordering possession on July 19, 2000. Attached hereto as "Exhibit J" are two pages from the 17th Judicial Circuit Court of Boone County's website confirming the foreclosure of OWEN G. COSTANZA's home.
- E. Allegation # 5: "2000 Completes Chapter 7 Bankruptcy Filed in 1996 as Chapter 13. Court records indicate that in the Northern District of Illinois (Western Division), bankruptcy petition # 96-51903, OWEN G. COSTANZA did file for Chapter 13 bankruptcy in 1996, converted it to a Chapter 7, which was later finalized by the Court on January 3, 2000. Attached hereto as "Exhibit K" are 7 pages from the U.S. Bankruptcy Court's website.
- F. Allegation # 6: "2007 Pleads Guilty for Drunk Driving Winnebago County." Court records indicate OWEN G. COSTANZA did, in fact, enter a guilty plea of DUI

on February 27, 2007, in 17<sup>th</sup> Judicial Circuit Court, Winnebago County, Case Number 2007-DT-70. The Court later entered a "court supervision" disposition of the case. Attached hereto as "Exhibit L" are 4 pages from 17<sup>th</sup> Judicial Circuit Court's online website.

- G. Allegation # 7: "2008 Wisconsin DOI Denies Insurance License for False Application." According to the Wisconsin Commissioner of Insurance' Annual report (see page 41), OWEN G. COSTANZA did, in fact, have his license denied for 31 days, based on allegations of failing to disclose previous criminal convictions on an insurance license application and failing to disclose a company termination for allegations of misconduct.

  November 2008. Attached hereto as "Exhibit M" are pertinent pages of the 2008 Wisconsin Insurance Report.
- H. Allegation # 8: "2010 Indiana DOI Fines Him \$1,500.00 False

  Application & Revokes Insurance License." According to the Indiana Department of Insurance

  Agreed Entry and Stipulation, dated September 21, 2010, OWEN G. COSTANZA was ordered
  to pay a \$1,500.00 fine for false statements on his application for licensure, and also agreed that
  action will be taken against his state license. That one of the misrepresentations that OWEN G.

  COSTANZA made on the application was that he indicated that he was never "convicted of a
  crime, had a judgment withheld or deferred, or are...currently charged with committing a crime."

  Attached hereto as "Exhibit N" is the Agreed Entry filed with the Indiana Commissioner of
  Insurance in Cause Number 9384-AG10-8031-135 and signed by the Respondent, Owen

  Costanza, as well as the Final Order and Approval entering the Agreed Entry.
- I. Allegation # 9: "2011 Terminated from RMS Service Group for Misappropriating Company Funds." According to an RMS Service Group letter obtained

through a FOIA request of a state agency, dated January 27, 2011, OWEN G. COSTANZA was, in fact, terminated for the reason(s) listed in the letter, pertaining to financial transactions. Attached hereto as "Exhibit O" is a letter dated January 27, 2011, from RMS Service Group to the Plaintiff, OWEN G. COSTANZA, terminating OWEN G. COSTANZA's employment for the reasons stated therein.

- J. Allegation # 10: "2012 Answers Fraudulently Again on Illinois DOI License Renewal Application." According to an Illinois Department of Insurance Stipulation and Consent Order, dated February 18, 2015, Plaintiff, OWEN G. COSTANZA did not truthfully report certain things on his application (see page 6, item "K"). Attached hereto as "Exhibit P" is an Order of Dismissal and a Stipulation and Consent Order from the State of Illinois, Department of Insurance setting forth in Paragraphs J and K the Plaintiff's, OWEN G. COSTANZA's, answering "no" on his 2010 and 2012 applications for license renewal when asked about his involvement in an administrative proceeding regarding a professional or occupational license or registration in another State.
- K. Allegation # 11: "2014 DOI Investigates Numerous Complaints by
  Insurance Customers, Past Terminations, Criminal History, Unlawful Fund Withdrawals, and
  Fines & Discipline from Wisconsin and Indiana (IL-14-HR-0482 & IN-934-AG10-8031-135)".
  According to an Illinois Department of Insurance Stipulation and Consent Order, dated February
  18, 2015, the Illinois DOI did, in fact, conduct this investigation. Attached hereto as "Exhibit Q" is an Order of Dismissal and a Stipulation and Consent Order from the State of Illinois,
  Department of Insurance.

- L. Allegation # 12: "2014 Illinois DOI Revokes Insurance Business License for Major Agency Violations." According to an Illinois Department of Insurance Stipulation and Consent Order, dated February 18, 2015, OWEN G. COSTANZA, as representative of RMS Service Group, Inc., agreed to the revocation of the license of RMS Service Group, Inc., d/b/a Alliance Insurance Agency. Attached hereto as "Exhibit Q" is an Order of Dismissal and a Stipulation and Consent Order from the State of Illinois, Department of Insurance setting forth said consent.
- M. Allegation # 13: "2015 Illinois DOI Disciplines and Fines Him \$30,000.00 for Multiple Repeat Violations." Attached hereto as "Exhibit Q" is an Order of Dismissal and a Stipulation and Consent Order from the State of Illinois, Department of Insurance setting forth a civil penalty of \$30,000.00 against RMS Service Group, Inc.
- 10. That Black Law's Dictionary defines "criminal" (noun) as "One who has committed a criminal offense; one who has been legally convicted of a crime; one adjudicated guilty of a crime." Black's Law Dictionary, Sixth Edition, West 1990, page 372.
- 11. That Black Law's Dictionary defines "criminal" (adjective) as "That which pertains to or is connected with the law of crimes, or the administration of penal justice, or which relates to or has the character of a crime. Of the nature of or involving a crime." Black's Law Dictionary, Sixth Edition, West 1990, page 372.
- 12. That Black Law's Dictionary defines "criminal behavior" as "Conduct which causes any social harm and is defined and made punishable by law." Black's Law Dictionary, Sixth Edition, West 1990, page 373.

- 13. That Black Law's Dictionary defines "record" as "A written account of some act, court proceeding, transaction, or instrument, drawn up, under authority of law, by a proper officer, and designed to remain as a memorial or permanent evidence of the matters to which it relates. Black's Law Dictionary, Sixth Edition, West 1990, page 1273.
- 14. That in his Complaint OWEN sets forth that he is a local public figure. "As OWEN became more successful in both local Poplar Grove Politics..." Plaintiff's Complaint, pg. 7, par. 29.
- 15. That, in addition to running for Poplar Grove Village President, OWEN is a former Board member of the Capron Rescue Squad aka North Boone EMS from 2011 through 2021, including several years as President, former Board member of the Belvidere/Boone County Food Pantry aka Empower Boone, Inc., former 911 Board member, former Trustee for the Village of Poplar Grove, former President of the Village of Poplar Grove, former Region 1 Planning Council member for the Village of Poplar Grove, former Growth Dimensions Executive Board member for the Village of Poplar Grove, former Belvidere Chamber of Commerce board member representing the Village of Poplar Grove, and former Treasurer of the Boone County Republican Club.
- 16. That because a reasonable person could expect that OWEN would not win the election or have a favorable status in local politics, the Defendants were genuinely aimed at procuring a favorable government action, result, or outcome.
- 17. That OWEN G. COSTANZA's and RMS INSURANCE SERVICES, INC.'s lawsuit is a frivolous intimidation suit designed to chill the Defendants' legitimate participation in public affairs.

18. That Plaintiffs' claim also founders on the fourth element. The Plaintiff has presented no facts and can not establish that the Defendants' conduct proximately caused the Plaintiffs' alleged injury.

WHEREFORE, the Defendants, DONALD G. SATTLER, MARION THORNBERRY, and ELISABETH M. RODGERS, pray that Counts I, II, and III of the Complaint at Law of the Plaintiffs, RMS INSURANCE SERVICES, INC., and OWEN G. COSTANZA, be dismissed, with prejudice.

DONALD G. SATTLER, MARION THORNBERRY, and ELISABETH M. RODGERS, Defendants,

TRENT M. FERGUSON, One of Their Attorneys

#### PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing Defendants, Donald G. Sattler, Marion Thornberry, and Elisabeth M. Rodgers, 735ILCS 5/2-615 Motion to Dismiss Counts I, II, and III of the Complaint Intentional Interferences with a Prospective Economic Advantage was served upon the following:

Attorney Timothy P. Donohue 228 West Main Street Barrington, IL 60010 tpd@aol.com

Attorney Joseph M. Madonia 5757 North Sheridan, Suite 10A Chicago, IL 60660 josephmadonia@gmail.com

Kin Himes

via email on the 12th day of Thruary, 2022.

ATTORNEY TRENT M. FERGUSON - #6303282 RAY A. FERGUSON & ASSOC., LTD 216 North Court Street Rockford, IL 61103 (815) 489-9500 rayferglaw@yahoo.com

#### Exhibit 1 - 1995 - Pleads Guilty to Filing False Police Report

Page 1 of 2 Boone County, IL | Case Information Boone County, IL Last Search | Information | Dispositions | History. | Payments | Fines & Fees 1995CM170 COSTANZA, OWEN.G. Case Information Last Upload 06/13/2000 Case 1995CM170 Last Update Criminal Misdemeanor Case Category CM-Case Type - Subtype Criminal Other Litigants None Litigant Information COSTANZA, OWEN G Full Name Defendant/Respondent Physical File Location 03/31/1972 Role Date of Birth Initial Close Date Initial Open Date 04/21/1995 Impounded No Reclose Date Reopen Date Suppress Minutes No GARDNER, OFFICER PATRICK ArrestingOfficer Identification Hair Color Eye Color Weight Gender Male Height Address 108 WENATCHEE WAY Street 1 Postal Code State IL City POPLAR GROVE Country Phone Numbers None Hearings Judge Time Date Type 09:30 HOLMGREN 08/30/1996 35 - Status hearing **EXHIBIT** http://www.judici.com/courts/cases/case\_information.jsp?court=IL004015J&ocl=IL00401...

### Boone County, IL

1995CM170_	COSTANZA,		Inform	ation   Disp	osition	s   History   Payments
Name I Count	No. Qualifier	Pines & Fee	Type	Date	Plea	Status
Charge	1 None	FALSE REPORT OF OFFENSE	Original		Guilty	Class B Misdemeanor
Disposition		403 - Withhold Judgment/Supervision		07/13/1995		
Sentence 1		208 - Supervision	12 months	07/13/1995		In Force
Sentence 2		301 - Fine		07/13/1995		In Force
Sentence 3		209 Fublic Service	20 hours	07/13/1995		In Force

#### Boone County, IL

1995CM170	COSTANZA, OWEN G	Last Search   Information   Dispositions   Histo	
Date	Entry		Judge
Entered Uni	der COSTANZA, OWEN G		
08/30/1996	Def not ps. St. by Haughan, conditions of CS. CAse is re	. Court is adv that the def has compiled with moved from call.	JRH
07/25/1996	On oral motion of def. Cour	Stay On Warrant. Court hears and grants same. t orders cas cont. to 8/30/96 at 9:30 a.m. for ork. All parties notified of date in open court.	JRH
07/12/1996	Def not ps. St. by Haughan a cont. Court orders BW will to be stayed until 7-25-96 at	Court is adv that an Attorney from Chicago req h bond set at \$3,000.00 and at the req of STate 9:00 a.m. Status hearing set for 07/25/1996 at	JRH
06/27/1996	07/12/1996 at 09:00 in court		UNASSIGNED
07/13/1995	year and assessed fine and shall perform 20 hours PSW	arles Sewell enters his appearance. St. by Hursh. Pursuant to agree the def is placed on CS for one costs of \$150.00 to be pd by 9-14-95. The def / at the direction of Probation. Guilty Plea CS for 09/14/95 at 09:00 in courtroom C.	JRH
06/30/1995	Bail Bond For Appearamce	pf Defendant \$100.00.	UNASSIGNED
06/09/1995	Def ps for arraign. Atty. Set Def enters a plea of NG. Ca set for 07/13/95 at 01:30 in	well enters his appearance. St. seeking( jail time. ise set for PTC on 7-13-95 at 1:30 p.m. Pre-trial courtroom C.	RJF
06/02/1995	Warrant returned served A	rraignment set for 06/09/95 at 09:00 in courtroom	UNASSIGNED
04/21/1995	Warrant issued.		UNASSIGNED

#### Exhibit 1 – 1999 – Terminated from Liberty Insurance for Fraud Misrepresentation

Ref: Sections 628.11 and 601.42 (1) (a). Wis. Stat.  Section ins 6.57, Wis. Adm. Code  INSTRUCTIONS: Type or print all required information into space provide within 15 calendar days following agent termination. You can utilize this Submission of this form constitutes company certification that each ager required for terminations. Fill in date of mailing at bottom of page. Val company address on file. If a report is not received by your company on any	ed and return to ab	e of the Co Agent I P. Madiso (SC oclaptio overaddre (5) comp	jour company. No fees are
company address on file. If a report is not received by your company on an Company Name  Company Name Liberty Insurance Corporation	y or all agents iden	00	in 30 days, please resubmit.
Agent Name(s): Last, First, Middle Initial	Wisconsin License N		Termination/Problem Code(s) (follow instructions on reverse side)
OSTANZA, OWEN		359827	15) i 7
Over	Date Mailed	03/08/	2000
11-011 (R 10/98)			



#### INSTRUCTIONSFORCOMPLETION OF NOTICE OF TERMINATION FORM

List all codes describing complaints received or problems experienced by your company involving the agent(s) and all codes indicating reason(s) for termination.

If any of the codes 10 through 19 are identified, complete explanations and documentation must be attached to this form. This documentation need not prove violations, but should include situation where possible violations exist.

The Office of the Commissioner of Insurance will investigate these situations and take appropriate action based upon the investigation. Section 601.42 (6), Wis. Stat., provides immunity for the insurer from an action for damages or defamation in the absence of actual malice, as a result of filing this report.

If your company discovers any problem regarding an agent following submission of this form, supplemental information, including documentation must be promptly forwarded to the Agent Licensing Section.

If Code 21 is identified, a complete explanation must be attached to this form.

If Code 05 is identified, additional documentation must be attached to substantiate the death such as an obituary, newspaper article, death certificate, or a letter from the company identifying the date of death.

#### CODES FOR PROBLEMS EXPERIENCED AND TERMINATION INFORMATION

01	Voluntary Termination
02	Inadequate Production
03	Cancelled by General Agent
05	Death
80	Company Defunct or Liquidation
10	Company Indebtedness
13	Forgery
14	Altering Policies
15	Fraud
16	Misappropriation
17	Misrepresentation
18	Failure to Promptly Submit Applications or Premiums
19	Poor Policyholder Service
21	Other

The Company believes the agent in question filed a fraudulent claim on a vehicle he owned that was insured by the Liberty Mutual Companies, in the state of Illinois.

Joone County, IL | Case Information

Page 1 of 2

#### Boone County, IL

1999CM657 COSTANZA, OWEN G Last Search | Information | Dispositions | History | Payments | Fines & Fees

Case information

Case

1999CM657 Last Update

04/28/2000 Last Upload

Case Category

Other Litigants

Criminal

Case Type - Subtype

CM-

Criminal Misdemeanor

None Litigant Information

Full Name Date of Birth

COSTANZA, OWEN G 03/31/1972 Role

Defendant/Respondent Physical File Location

Initial Close Date

Impounded Suppress Minutes ArrestingOfficer

No No UNKNOWN Initial Open Date 08/04/1999 Reopen Date

Reclose Date

Identification

Gender

Male Height

Weight

Eye Color

Hair Color

Address Street 1

106 WENATCHEE WAY

POPLAR GROVE

State IL

Postal Code

Country Phone Numbers

None

City

Hearings

Type 91 - Pay or appear Date

07/27/2000

Time 09:00

Judge ASSOCIATE

http://www.judici.com/courts/cases/case\_information.jsp?court=IL004015J&ocl=IL00401...

**EXHIBIT** 

## Boone County, IL

Date	Entry	Fines & Fees	
Entered Un	der: COSTANZA, OWEN G		Judge
	Def ps for Status on COP a compliance and reminds de	and shows compliance. Court finds def in f of payment date.	JRT
	Def. ps. Case called on for same presented for Court's enter JOC and will place det F&C totaling \$300.00 on or to be applied. Def. further withe Check Offender Program on 04/27/00 at 9:30 a.m. for	PTC. Def. enters into ping, with the State and approval. Def. will enter a written PG. Court will f. on 12 mo. Conditional Discharge. Def. will pay before 07/27/00 at 9:00 a.m. Cash bond posted ill be ordered to attend and successfully complete n and pay all fees of same. Def. to return to Court Status On Check Offender Program, Court hears a CONDITIONAL DISCHARGE CONTROL	
12/17/1999		d of chgs, rts & pps. St by Melton. On M/Def, 2TC on 1-27-00 at 1:30 PM. All parties notified of sch conf set for 01/27/2000 at 01:30 in	ASM
12/13/1999	Warrant returned served. Ba Arraignment set for 12/17/19	all Bond For Appearance of Defendant \$100.00.	UNASSIGNED
08/04/1999	**Information filed on 08/04/	00 Warrant Issued	UNASSIGNED

#### Exhibit 1 – 2000 – Home Foreclosure in Boone County

1999CH145 COSTANZA, OWEN GLast Search | Information | Dispositions | History | Payments | Fines & Fees

Case Information	Control of			CONTRACT		a Salakas Salak	
Case	1999CH145	Last Update		03/19/20	03	Last Upload	10/06/2019 @ 05:23
Case Category	Civil	Case Type - Subty	pe	CH - 102		Chancery - Mortgage F	
Other Litigants							
Role	Name						
Defendant/Respondent	COSTANZA, P	AULA K					
Defendant/Respondent	CANDLEWICH	LAKE ASSOCIATIO	N, INC				
Defendant/Respondent	MERCHANTS	NATL BANK OF AU	RORA				
Plaintiff/Petitioner		GAGE COMPANY	Media				
Litigant Information				EXPOSED IN		ESSER BELLEVILLE	We state the same
Full Name	COSTANZA, O	WEN G					
Date of Birth		Role	Defend	dant/Respon	ndent	Physical File Location	
Impounded	No	Initial Open Date	10/29	-		Initial Close Date	03/15/2000
Suppress Minutes	No	Reopen Date				Reclose Date	03/13/2000
None		•				Titalian Date	
Identification					100000		
None					No linearing		
Address		STATE BY SALE	SHARE	ZIESES	19937		
Street 1	106 WENATO	HEE WAY SW					
City	POPLAR GRO	VE	State	IL		Postal Code	610650000
Country						1 outer code	010030000
Phone Numbers							AND DESCRIPTION
None							
Hearings		AND REAL PROPERTY.			EKHIN	THE STREET STREET	
Туре		Date	Time	I	udge		Location
10 - Motion hearing		07/19/2000	1:30 P.		ENNED		A

#### 1999CH145 COSTANZA, OWEN GLast Search | Information | Dispositions | History | Payments | Fines & Fees

Name	No.	Description	Туре	Date	Satisfied?
Complaint/Count	1/1		Original		
Disposition	1	851 - Judgment	Original	03/15/2000	
Finding		CHASE MORTGAGE COMPANY	FOR		
Finding		COSTANZA, OWEN G	AGAINST		
Disposition	2	851 - Judgment	Original	03/15/2000	
Finding		CHASE MORTGAGE COMPANY	FOR	20,10,2000	
Finding		COSTANZA, PAULA K	AGAINST		
Disposition	3	851 - Judgment	Original	03/15/2000	
Finding		CHASE MORTGAGE COMPANY	FOR	00/10/2000	
Finding		CANDLEWICK LAKE ASSOCIATION, INC	AGAINST		
Disposition	4	851 - Judgment	Original	03/15/2000	
Finding		CHASE MORTGAGE COMPANY	FOR	03/13/2000	
Finding		MERCHANTS NATL BANK OF AURORA	AGAINST		EX

#### 1999CH145 COSTANZA, OWEN G

Last Search | Information | Dispositions | History | Payments | Fines & Fees

Date	Entry	Judge
	ler: COSTANZA, OWEN G	1,
07/19/2000	Pl pres by Atty Mozal. Motion for Order Approving Report of Sale and Distribution heard & granted. No deficiency of surplus judgment entered. Motion for Order of Possession heard & granted. See order. Notice of Motion Motion For Order Approving Report of Sale & Distribution Report of Sale & Distribution ORDER APPROVING REPORT OF SALE & DISTRIBUTION, CONFIRMING SALE & ORDER FOR POSSESSION	ЈТК
06/02/2000	Certificate of Publication	
	Proof of Mailing Notice of Sale	UNASSIGNED
	Notice of Sale	UNASSIGNED
03/15/2000	Atty Jan Mozal pres for pl. Motion For Default Judgment heard and granted. Motion to Dismiss Unknown Owners & Non-record Claimants heard and granted. Motion For Judgment of Foreclosure & Sale heard and granted. Motion to Appoint Selling Officer heard and granted. Lost Document Affidavit filed. Redemption period expires 6-16-2000.	ЈТК
	Order of Default Judgment For Foreclosure and Sale Order Appointing Foreclosure Sale Officer Lost Document Affidavit Copy - FHA Mortgage Copy - Loan	
	Substitute service of summons 11/02/99 (Costanza, O) \$67.00 Summons ret'd served 11/02/99 (Costanza, P) \$10.00 Summons ret'd served 11/01/99 (Candlewick Lake) \$12.00 Summons ret'd not served 11/02/99 (Unknown Tenants) \$10.00 Affidavit of Special Process Server 11/15/99 (Merchants Nat'l Bank) Certificate  Atty Affidavit  Affidavit of Prove-Up  Order Modifying Stay - Bankruptcy  Notice of Motion  Motion for Judgment for Foreclosure and Sale  Notion To Appoint Selling Officer	
10/29/1999	Complaint to Foreclose Mortgage \$88.00 Affidavit as to Unknown Owners and Nonrecord Claimants Lis Pendens and Notice of Foreclosure Summons Issued and Forwarded to Boone Co Sheriff for Service	

CLOSED

#### U.S. Bankruptcy Court Northern District of Illinois (Western Division) Bankruptcy Petition #: 96-51903

Assigned to: Honorable Judge Manuel Barbosa

Chapter 7

Previous chapter 13

Voluntary

No asset

Debtor 1

Owen Greg Costanza

Poplar Grove, IL 61065 BOONE-IL

BOONE-IL

SSN / ITIN: xxx-x

Debtor 2

Poplar Grove, IL 61065

BOONE-IL

SSN / ITIN: xx

pka Paula K Stevenson

Trustee

Bernard J Natale

Bernard J. Natale, Ltd. Edgebrook Office Center

1639 N Alpine Rd

Suite 401

Rockford, IL 61107

815-964-4700

Date filed: 07/26/1996
Date converted: 09/03/1999
Date terminated: 01/03/2000

341 meeting: 10/07/1999 3:00 PM

Deadline for objecting to discharge: 12/06/1999

represented by Gary C Flanders

1 Court Place Suite 201 Rockford, IL 61101 (815) 962-7084

Fax: (815) 987-3759

Email: garycflanders@gmail.com

represented by Gary C Flanders

(See above for address)



Filing Date	#	Docket Text
07/26/1996	1	VOLUNTARY petition under chapter 13 [CB] (Entered: 07/26/1996)
07/26/1996	2	INTAKE Checklist [CB] (Entered: 07/26/1996)
07/26/1996	3	APPLICATION to Pay Filing Fees in Installments [CB] (Entered: 07/26/1996)
07/26/1996	4	CHAPTER 13 Plan [CB] (Entered: 07/26/1996)
07/26/1996	5	SCHEDULES [CB] (Entered: 07/26/1996)
07/26/1996	6	STATEMENT of Financial Affairs [CB] (Entered: 07/26/1996)
07/26/1996	7	ATTORNEY Statement of Compensation [CB] (Entered: 07/26/1996)
07/26/1996	8	AFFIDAVIT Prescribed by General Rule 39 [CB] (Entered: 07/26/1996)
08/02/1996	9	NOTICE of 341 Meeting Notice and Claims Deadline with Certificate of Mailing Filed [MW] (Entered: 08/02/1996)

20/2021		Illinois Northern Bankruptcy Live System
08/02/1996	10	NOTICE of Confirmation Hearing hearing on 09/20/1996 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois [MW] Original NIBS Entry Number: 9A (Entered: 08/02/1996)
08/22/1996	11	OBJECTION to Confirmation of Plan RE: Chase Manhattan Mortgage Corp [MW] Original NIBS Entry Number: 10 (Entered: 08/22/1996)
08/22/1996	12	PROOF of Service [MW] Original NIBS Entry Number: 10A (Entered: 08/22/1996)
09/05/1996	13	PROOF of Service RE: Meeting of Creditors notice sent to Commercial Financial Services, Inc. by Trustee RE: Item# 9 [MW] Original NIBS Entry Number: 11 (Entered: 09/05/1996)
09/16/1996	14	OBJECTION to Confirmation of Plan by Trustee [MW] Original NIBS Entry Number: 12 (Entered: 09/16/1996)
09/16/1996	15	PROOF of Service [MW] Original NIBS Entry Number: 12A (Entered: 09/16/1996)
09/24/1996	16	NOTICE of trustee's proposal for allowance or modification of claims RE: Associated Financial Service, Phillips 66 [MW] Original NIBS Entry Number: 13 (Entered: 09/24/1996)
09/26/1996	17	PRETRIAL Conference hearing on 10/25/1996 at 9:30 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 11 [MW] Original NIBS Entry Number: 14 (Entered: 09/26/1996)
09/26/1996	18	PRETRIAL Conference hearing on 10/25/1996 at 9:30 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 14 [MW] Original NIBS Entry Number: 14A (Entered: 09/26/1996)
09/26/1996	19	CERTIFICATE of Mailing [MW] Original NIBS Entry Number: 14B (Entered: 09/26/1996)
09/27/1996	20	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 15 (Entered: 09/27/1996)
10/01/1996	21	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 16 (Entered: 10/01/1996)
10/03/1996	22	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 17 (Entered: 10/03/1996)
10/10/1996	23	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 18 (Entered: 10/10/1996)
10/29/1996	24	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 19 (Entered: 10/29/1996)
11/05/1996	25	CHAPTER 13 Plan [Modified] [MW] Original NIBS Entry Number: 20 (Entered: 11/05/1996)
11/05/1996	26	NOTICE of Hearing hearing on 12/13/1996 at 9:15 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 25 [MW] Original NIBS Entry Number: 20A (Entered: 11/05/1996)
11/05/1996	27	PROOF of Service [MW] Original NIBS Entry Number: 20B (Entered: 11/05/1996)

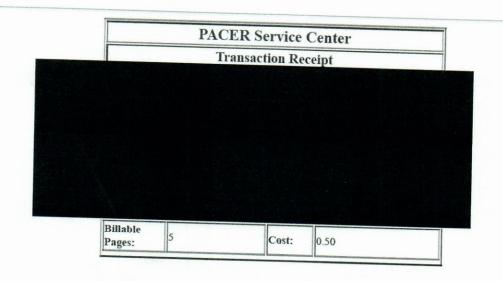
3/26/2021		
11/12/1996	28	OR IECTION to Confirm the Confirmation (CRIENTIAN CONFIRMATION CONFIRM
		OBJECTION to Confirmation of Plan [Modified] by Trustee [MW] Original NIBS Entry Number: 21 (Entered: 11/12/1996)
11/12/1996	29	PROOF of Service [MW] Original NIBS Entry Number: 21A (Entered: 11/12/1996)
12/12/1996	30	NOTICE of trustee's proposal for allowance or modification of claims [JS] Original NIBS Entry Number: 22 (Entered: 12/12/1996)
12/20/1996	31	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 23 (Entered: 12/20/1996)
12/20/1996	32	PRETRIAL Conference hearing on 01/10/1997 at 9:30 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 28 [MW] Original NIBS Entry Number: 24 (Entered: 12/20/1996)
12/20/1996	33	PROOF of Service [MW] Original NIBS Entry Number: 24A (Entered: 12/20/1996)
12/23/1996	34	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 25 (Entered: 12/23/1996)
12/24/1996	35	NOTICE of intent to pay claims - notice sent [MW] Original NIBS Entry Number: 26 (Entered: 12/24/1996)
01/10/1997	36	ORDER Confirming Plan [Modified] [MW] Original NIBS Entry Number: 27 (Entered: 01/13/1997)
02/03/1997	37	CHAPTER 13 Plan [Modification] - Debtor [CB] Original NIBS Entry Number: 28 (Entered: 02/03/1997)
02/03/1997	38	NOTICE of Filing - Objections Due On or Before 2-28-97 [CB] Original NIBS Entry Number: 28A (Entered: 02/03/1997)
02/03/1997	39	PROOF of Service [CB] Original NIBS Entry Number: 28B (Entered: 02/03/1997)
02/05/1997	40	RECEIPT No. 72413/\$130.00 Installment Fee [MW] Original NIBS Entry Number: 29 (Entered: 02/06/1997)
02/18/1997	41	NOTICE [Amended] - Objections are to be filed by 3-7-97 RE: Item# 37 [MW] Original NIBS Entry Number: 30 (Entered: 02/18/1997)
02/18/1997	42	PROOF of Service [MW] Original NIBS Entry Number: 30A (Entered: 02/18/1997)
02/18/1997	43	PROOF of Service RE: Item# 41 [MW] Original NIBS Entry Number: 31 (Entered: 02/18/1997)
02/28/1997	44	CHAPTER 13 Plan [Modified] [MW] Original NIBS Entry Number: 32 (Entered: 02/28/1997)
02/28/1997	45	HEARING Continued hearing on 03/14/1997 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 38 [JB] Original NIBS Entry Number: 33 (Entered: 02/28/1997)
02/28/1997	46	MOTION to Dismiss - Trustee [Disposed] [JB] Original NIBS Entry Number: 34 (Entered: 02/28/1997)
02/28/1997	47	NOTICE of Hearing hearing on 03/28/1997 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 46 [JB] Original NIBS

3/26/2021		Illinois Northern Bankruptcy Live System Entry Number: 34A (Entered: 02/28/1997)					
02/28/1997	48	CERTIFICATE of Mailing [JB] Original NIBS Entry Number: 34B (Entered: 02/28/1997)					
03/25/1997	49	ORDER Confirming Plan [Modified] [MW] Original NIBS Entry Number: 35 (Entered: 03/25/1997)					
03/26/1997	50	MOTION to Avoid Judicial Lien of Merchants National Bank [Disposed] [MW] Original NIBS Entry Number: 36 (Entered: 03/27/1997)					
03/26/1997	51	OBJECTION to Claim RE: Merchants National Bank [Disposed] [MW] Original NIBS Entry Number: 37 (Entered: 03/27/1997)					
03/26/1997	52	NOTICE of Hearing hearing on 05/02/1997 at 10:45 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 50 [MW] Original NIBS Entry Number: 38 (Entered: 03/27/1997)					
03/26/1997	53	NOTICE of Hearing hearing on 05/02/1997 at 10:45 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 51 [MW] Original NIBS Entry Number: 38A (Entered: 03/27/1997)					
03/26/1997	54	PROOF of Service [MW] Original NIBS Entry Number: 38B (Entered: 03/27/1997)					
03/28/1997	55	HEARING Continued hearing on 05/16/1997 at 1:30 p.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 47[Rescheduled] [JB] Original NIBS Entry Number: 39 (Entered: 04/01/1997)					
05/12/1997	56	ORDER GRANTED RE: Item# 50 [MW] Original NIBS Entry Number: 40 (Entered: 05/12/1997)					
05/12/1997	57	ORDER Disallowing Claim as filed RE: Item# 51 [MW] Original NIBS Entry Number: 41 (Entered: 05/12/1997)					
05/16/1997	58	ADJOURNED Hearing Continued ADJOURNED Hearing Continued postponed to 06/20/1997 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 55[Rescheduled] [JB] Original NIBS Entry Number: 42 (Entered: 05/19/1997)					
06/20/1997	59	ADJOURNED Hearing Continued ADJOURNED Hearing Continued postponed to 07/18/1997 at 1:30 p.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 58[Rescheduled] [JB] Original NIBS Entry Number: 43 (Entered: 06/23/1997)					
07/08/1997	60	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 44 (Entered: 07/08/1997)					
07/18/1997	61	ADJOURNED Hearing Continued ADJOURNED Hearing Continued postponed to 10/10/1997 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 59[Rescheduled] [JB] Original NIBS Entry Number: 45 (Entered: 07/22/1997)					
07/30/1997	62	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 46 (Entered: 07/30/1997)					
08/19/1997	63	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 47 (Entered: 08/19/1997)					
09/05/1997	64	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original					

1	29	Illinois Northern Bankruptcy Live System					
		NIBS Entry Number: 48 (Entered: 09/05/1997)					
09/05/1997	65	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 49 (Entered: 09/05/1997)					
09/10/1997	66	APPLICATION for Attorney's Fees from 1-27-97 through 9-8-97 by Gary Flanders [Disposed] [MW] Original NIBS Entry Number: 50 (Entered: 09/11/1997)					
09/10/1997	67	NOTICE of Hearing hearing on 10/03/1997 at 10:45 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 66 [MW] Original NIBS Entry Number: 50A (Entered: 09/11/1997)					
09/10/1997	68	PROOF of Service [MW] Original NIBS Entry Number: 50B (Entered: 09/11/1997)					
10/01/1997	69	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 51 (Entered: 10/01/1997)					
10/01/1997	70	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 52 (Entered: 10/01/1997)					
10/06/1997	71	ORDER APPROVING RE: Item# 66 [MW] Original NIBS Entry Number: 53 (Entered 10/06/1997)					
10/10/1997	72	ADJOURNED Hearing Continued ADJOURNED Hearing Continued postponed to 10/31/1997 at 9:00 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 61[Rescheduled] [JB] Original NIBS Entry Number: 54 (Entered: 10/15/1997)					
10/31/1997	73	ADJOURNED Hearing Continued ADJOURNED Hearing Continued postponed to 11/21/1997 at 1:30 p.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 72 [JB] Original NIBS Entry Number: 55 (Entered: 11/03/1997)					
11/28/1997	74	NOTICE of trustee's proposal for allowance or modification of claims [JS] Original NIBS Entry Number: 56 (Entered: 11/28/1997)					
11/28/1997	75	NOTICE of report of additional claim with Certificate of Mailing [JS] Original NIBS Entry Number: 57 (Entered: 11/28/1997)					
2/01/1997	76	ORDER WITHDRAWING RE: Item# 46 [MW] Original NIBS Entry Number: 58 (Entered: 12/01/1997)					
02/09/1998	<u>77</u>	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 59 (Entered: 02/09/1998)					
2/12/1998	78	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 60 (Entered: 02/12/1998)					
6/16/1998	<u>79</u>	NOTICE of report of additional claim with Certificate of Mailing [MW] Original NIBS Entry Number: 61 (Entered: 06/16/1998)					
6/16/1998	<u>80</u>	NOTICE of trustee's proposal for allowance or modification of claims [MW] Original NIBS Entry Number: 62 (Entered: 06/16/1998)					
2/10/1998	<u>81</u>	NOTICE of Transfer of Claim from Sears to Max Recovery Inc [MW] Original NIBS Entry Number: 63 (Entered: 12/10/1998)					

3/26/2021		Illinois Northern Bankruptcy Live System
12/10/1998	<u>82</u>	NOTICE of Transfer of Claim from Sears to Max Recovery Inc [MW] Original NIBS Entry Number: 64 (Entered: 12/10/1998)
12/10/1998	83	NOTICE of Transfer of Claim from Sears to Max Recovery Inc [MW] Original NIBS Entry Number: 65 (Entered: 12/10/1998)
08/09/1999	<u>84</u>	MOTION In Regards to Automatic Stay Or Alternatively Dismiss by Chase Manhattan Mortgage Corp [Disposed] [MW] Original NIBS Entry Number: 66 (Entered: 08/09/1999)
08/09/1999	<u>85</u>	NOTICE of Hearing with Certificate of Mailing hearing on 08/13/1999 at 9:30 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 84 [MW] Original NIBS Entry Number: 66A (Entered: 08/09/1999)
08/09/1999	<u>86</u>	RECEIPT No. 97629/\$75.00 [MW] Original NIBS Entry Number: 66B (Entered: 08/09/1999)
08/13/1999	<u>87</u>	ORDER Stay is Modified RE: Item# 84 [MW] Original NIBS Entry Number: 67 (Entered 08/16/1999)
09/03/1999	88	NOTICE of Conversion 13 to 7 with Proof of Service [MW] Original NIBS Entry Number: 68 (Entered: 09/03/1999)
09/03/1999	<u>89</u>	RECEIPT No. 98219/\$15.00 [MW] Original NIBS Entry Number: 68A (Entered: 09/03/1999)
09/03/1999	90	SCHEDULES [Amended] [MW] Original NIBS Entry Number: 69 (Entered: 09/03/1999)
09/03/1999	91	STATEMENT of Financial Affairs [Amended] [MW] Original NIBS Entry Number: 70 (Entered: 09/03/1999)
09/03/1999	92	ATTORNEY Statement of Compensation [Amended] [MW] Original NIBS Entry Number: 71 (Entered: 09/03/1999)
09/03/1999	93	DEBTOR'S Statement of Intentions [MW] Original NIBS Entry Number: 72 (Entered: 09/03/1999)
09/17/1999	<u>94</u>	NOTICE of Meeting of Creditors and Deadlines with Certificate of Service [MW] Original NIBS Entry Number: 73 (Entered: 09/17/1999)
09/28/1999	<u>95</u>	TRUSTEE'S final report and account [Chapter 13] with certificate of mailing [MW] Original NIBS Entry Number: 74 (Entered: 09/28/1999)
09/30/1999	<u>96</u>	AMENDMENT to Schedule F [MW] Original NIBS Entry Number: 75 (Entered: 09/30/1999)
09/30/1999	97	RECEIPT No. 98908/\$20.00 [MW] Original NIBS Entry Number: 75A (Entered: 09/30/1999)
10/07/1999	98	NOTICE to Creditors Listed on Schedules with Certificate of Service RE: Item# 96 [MW] Original NIBS Entry Number: 76 (Entered: 10/07/1999)
10/15/1999	<u>99</u>	FINAL Report of Trustee in No Asset Case [MW] Original NIBS Entry Number: 77 (Entered: 10/15/1999)
11/04/1999	<u>100</u>	MOTION In Regards to Automatic Stay RE: General Motors Acceptance Corp [Disposed] [MW] Original NIBS Entry Number: 78 (Entered: 11/04/1999)

11/04/1000		Illinois Northern Bankruptcy Live System
11/04/1999	101	NOTICE of Hearing with Proof of Service hearing on 11/10/1999 at 9:30 a.m. at U.S. Bankruptcy Court, Federal Courthouse 211 South Court, Rockford, Illinois RE: Item# 100 [MW] Original NIBS Entry Number: 78A (Entered: 11/04/1999)
11/04/1999	102	RECEIPT No. 797/\$75.00 [MW] Original NIBS Entry Number: 78B (Entered: 11/04/1999)
11/10/1999	103	ORDER Stay is Modified RE: Item# 100 [MW] Original NIBS Entry Number: 79 (Entered: 11/10/1999)
12/16/1999	<u>104</u>	DISCHARGE of Debtor with Certificate of Mailing Filed [MW] Original NIBS Entry Number: 80 (Entered: 12/17/1999)
01/03/2000	105	ORDER CLOSING CASE [MW] Original NIBS Entry Number: 81 (Entered: 01/03/2000)
02/17/2000	<u>106</u>	MOTION To Turn Over Unclaimed Funds To Clerk Of Court RE: Merchants National Bank [Disposed] [MW] Original NIBS Entry Number: 82 (Entered: 02/17/2000)
02/22/2000	<u>107</u>	ORDER Authorizing RE: Item# 106 [MW] Original NIBS Entry Number: 83 (Entered: 02/23/2000)



DANT Owen G	Costanza			
	ending Descending			
				1 - 34 of 3
*DATE SEALED	JODE	SE **Lucas, Richard	MICROFILM NUMBER	
OLFILL	COD			
*TEXT	ACA Joseph Bruscato appears for the Fines and costs paid in full. Petition to	City. Defendant not present		
TEXT	motion of the City.	vacate dismissed on		
	Clerk TLG			
*DATE	03/06/2008 *JUDG	E **Lucas, Richard		
SEALED	CODE	CONVERSION	MICROFILM NUMBER	
FTEVT	Court Ordered Payments Fee 912.00 A Defendant's Attorney Sewell Charles T	mt 912 00		
TEXT	Clerk MLN			
*DATE				
*DATE SEALED	02/12/2008 *JUDG	E **Lucas, Richard CONVERSION	MICROFILM NUMBER	
	PETITION TO VACATE COURT SIR	PRINCION EN ED DIE		
*TEXT	Reporter NONE PRESENT	m Rm C		
	Clerk EB			
*DATE	11/08/2007 *JUDGE	**Lucas, Richard	MICROFILM NUMBER	
SEALED	CODE	CONVERSION	MICHOFILM NUMBER	
*TEXT	Court Ordered Payments Fee 152.00 An Defendant's Attorney Sewell Charles T	nt 152.00		
	Clerk DR			
*DATE	00/20/2007			
SEALED	08/30/2007 *JUDGE CODE		MICROFILM NUMBER	
	Court Ordered Payments Fee 152 00 Am			
*TEXT	Defendant's Attorney Sewell Charles T			
	Clerk DK			
*DATE	08/06/2007 *JUDGE	**Lucas, Richard	MICROFILM NUMBER	
SEALED	Accounting Adjustment		MONOR ILIN HUMBLIN	
*TEXT	Accounting Adjustment Defendant's Attorney Sewell Charles T			
	Clerk TGL			
*DATE				
*DATE SEALED	07/13/2007 *JUDGE CODE	**Lucas, Richard	MICROFILM NUMBER	
	Court Ordered Payments Fee 152 00 Am	CONVERSION 152.00		
	Defendant's Attorney Sewell Charles T			
	Clerk SJW			
	06/25/2007 *JUDGE	**Lucas, Richard	MICROFILM NUMBER	
SEALED	CODE	CONVERSION	MICHOTILM NOWDER	
*TEXT	Court Ordered Payments Fee 1,520.00 Ar Defendant's Attorney Sewell Charles T	nt 152.00		
	Clerk DR			
*DATE	05/17/2007 *JUDGE			
SEALED	**************************************	**Lucas, Richard CONVERSION	MICROFILM NUMBER	
*TEXT	Court Ordered Payments Fee 1,672.00 An	at 152.00		EXHIBIT
	Clerk DR			
*DATE	04/23/2007 *JUDGE	**Lucas, Richard		tabbies
SEALED		CONVERSION	MICROFILM NUMBER	

R	*TEX	Clerk RJE			
Elen	*DATE				
	*DATE SEALED		CODE		MICROFILM NUMBER
	*TEXT	Court Ordered Payments   Clerk SJT	Fee 152.00 Az	nst 152.00	
100		Clerk SJ1			
	*DATE		*JUDGE CODE		MICROFILM NUMBER
	*TEXT	Court Ordered Payments I	Bond Used Fe	CONVERSION e 1,914.00 Amt 90.00 Bond use	d
E.		Clerk MKC			
5	*DATE	02/27/2007	*JUDGE	**Lucas, Richard	MICROFILM NUMBER
	SEALED	COURT SUPERVISION (	CODE ORDER FILE		TO THE TOTAL
	*TEXT	Reporter NONE PRESEN Clerk CC7			
	*DATE	02/27/2007	*JUDGE	**Lucas, Richard	MICROFILM NUMBER
	SEALED	Disposition 01/00 Count 00	CODE	CONVERSION	MONOTON TO MONOTON
	*ТЕХТ	Disposition Withhold Inda Disposition Type Court Ac Statute 625 5/11-501(a)(2) Sentence 02/27/2007 Sentence Fines and/or Cos Sentence Supervision 12M Sentence Alcoholism Twa	ment/Supervi ction Defenda Class A Orig. t/Penalties and tos Sentence Li tment Sentenc TIM IMPACT	sion DRVG UNDER INFLU OI nt Plea Guilty  I Fees Sentence In Force	FALCOHOL
		Clerk MKC	Signed		
	*DATE SEALED	02/27/2007		**Lucas, Richard CONVERSION	MICROFILM NUMBER
	*TEXT	Disposition 02/00 Count 00: Disposition Dismiss/State Disposition Type Court Ac- Statute 625 5/11-501(a)(1) C Sentence 02/27/2007 No Fine & Cost .00 Signed Clerk CC7	Motion DRVC	INDER DIETURACOO	
	*DATE SEALED	02/27/2007		**Lucas, Richard	MICROFILM NUMBER
	ourall <sub>D</sub>	GUILTY PLEA FILED	CODE	CONVERSION	
	*TEXT	Reporter NONE PRESENT Clerk CC7			
	*DATE	02/27/2007		**Lucas, Richard	MICROFILM NUMBER
	SEALED	JDP ORIGINAL FILED	CODE	CONVERSION	The same of the sa
	*TEXT	Reporter NONE PRESENT Clerk CC7			
	*DATE	02/27/2007	*JUDGE	**Lucas, Richard	MICROFILM NUMBER
	SEALED	JDP SENT TO SOS		CONVERSION	
	*TEXT	Reporter NONE PRESENT Clerk CC7			
	*DATE	02/27/2007	*JUDGE	**Lucas, Richard	MCDODIVANUES
	SEALED		CODE	CONVERSION	MICROFILM NUMBER
	*TEXT	LETTER FROM EMPLOYE Reporter NONE PRESENT Clerk CC7	KTILED)		
	*DATE SEALED	02/27/2007		**Lucas, Richard CONVERSION	MICROFILM NUMBER
		PETITION FOR JDP FILED	CODE	CONVERSION	
		Reporter NONE PRESENT Clerk CC7			
	*DATE	02/27/2007	*JUDGE	**Lucas, Richard	MICROFILM NUMBER

SEALED CODE CONVERSION

PLEA OF GUILTY W/ATTORNEY

People of the State of Illinois present by Assistant State's

Attorney, CITY ATTORNEY. Defendant appears with Atty Sewell.

Charges read, rights and possible penalties explained Defendant
pleads guilty to 07DT70. Inny warved, no judgment of conviction
entered. Defendant sentenced to 12 mits CTSV. VIP, Counseling,
F.&C=\$1,914.00. Apply any bond. Petition to rescing SSS is

w/drawn, Petition for IDP is heard and granted.

COURT SUPERVISION 02727/2008 5 00 pm Rm C

Resourcer NONE PRESENT CODE CONVERSION Reporter NONE PRESENT Clerk CC7 \*DATE 02/22/2007 \*JUDGE \*\*No Judge MICROFILM NUMBER SEALED CODE CONVERSION MOTION FOR DISCOVERY Filed \*TFXT Clerk WBW \*DATE 02/22/2007 \*JUDGE \*\*No Judge MICROFILM NUMBER SEALED CODE CONVERSION REQUEST FOR HEARING TO RESCIND SUMMARY SUSPENSION OR FOR ISSUANCE OF JUDICIAL DRIVING PERMIT Filed \*TEXT \*DATE 02/13/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION ARRAIGNMENT-PLEA OF NOT GUILTY W/ATTORNEY-NOTICE GIVEN City of Rockford present by ACA, Angela Hammer. Defendant appears with Atty Sewell. Defendant waives arraignment and enters a plea of not guilty. On defendant motion case is continued for SSS.

Notice given. \*TEXT STAT SUMMRY SUSPENSN 02/27/2007 1 30 pm Rm 215 Reporter NONE PRESENT Clerk CC7 \*DATE 02/02/2007 \*JUDGE \*\*Kennedy, J. Todd MICROFILM NUMBER SEALED CODE CONVERSION \*TEXT DRUG AND ALCOHOL EVAL FILED \*DATE 01/26/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION CONFIRMATION OF STATUTORY SUMMARY SUSPENSION RECEIVED \*TEXT Clerk KAF \*DATE 01/22/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION APPEARANCE OF ATTORNEY Filed Clerk ACP \*DATE 01/19/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION WARNING TO MOTORIST FILED. \*TEXT Clerk BG \*DATE 01/16/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION Bond Type Bond On Companion Case Bail .00 ARRAIGNMENT 02/13/2007 9 00 am Rm 215 \*DATE 01/16/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION Bond Type Cash 10% Deposit Bond Bail 100.00 Bond 1,000.00 ARRAIGNMENT 02/13/2007 9 00 am Rm 215 \*TEXT Clerk EB \*DATE 01/16/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION Complaint 01 Count 001 DRVG UNDER INFLU OF ALCOHOL Statute 625 5/11-501(a)(2) Clasz A Orig. \*TEXT Agency ROCKFORD Ticket# 876335 Clerk EB \*DATE 01/16/2007 \*JUDGE \*\*Lucas, Richard MICROFILM NUMBER SEALED CODE CONVERSION Complaint 02 Count 002 DRVG UNDER INFLU/BAC 0.08

*TEXT	Agency ROCKFORD Ticket Clerk GA	070330		
	CIETA COA			
*DATE	01/16/2007	*JUDGE	**Lucas, Richard	· ·
SEALED			CONVERSION	MICROFILM NUMBER
*TEXT	From bond Bond on compani		CONVILLION	
*DATE	01/16/2007	*JUDGE	**Lucas, Richard	· ·
SEALED		CODE	CONVERSION	MICROFILM NUMBER
400000000	warning to motorist mot filed			
*TEXT	Clerk GA			



# Insurance Report

Jim Doyle Governor



Sean Dilweg Commissioner of Insurance



**Business** of

2008

# Wisconsin

# Insurance Report

Jim Doyle Governor

Sean Dilweg Commissioner of Insurance

**Business** of

Our Mission...

# Leading the way in informing and protecting the public and responding to their insurance needs

#### Secretaries of State\*

#### Ex Officio Commissioners of Insurance

Name	Residence	Ter From	m To
Llewelyn Breese Peter Doyle Hans B. Warner	Prairie du Chien Prairie du Chien Ellsworth	January 3, 1870 January 5, 1874 January 7, 1878	January 5, 1874 January 7, 1878 April 1, 1878
	Commissioners of	Insurance	
Philip L. Spooner Philip Cheek, Jr. Wilbur M. Root William A. Fricke Emil Giljohann Zeno M. Host George E. Beedle Herman L. Ekern M. J. Cleary Plat Whitman W. Stanley Smith Olaf H. Johnson M.A. Freedy H. J. Mortensen Morvin Duel J. L. Sonderegger John R. Lange Alfred Van DeZande Paul J. Rogan Charles Manson Robert D. Haase S. C. DuRose Harold R. Wilde Susan M. Mitchell Ann J. Haney Thomas P. Fox Robert D. Haase Josephine W. Musser Randy Blumer Connie L. O'Connell Jorge Gomez Sean Dilweg	Madison Baraboo Sheboygan Milwaukee Milwaukee Milwaukee Milwaukee Embarrass Whitehall Blanchardville Highland Ashland Gratiot Wauwatosa New Lisbon Fond du Lac Madison Madison Campbellsport Ladysmith Wausau Marinette Madison	April 1, 1878     January 3, 1887     January 5, 1891     January 7, 1895     October 15, 1898     January 5, 1903     January 7, 1907     January 2, 1911     July 1, 1915     April 10, 1919     July 17, 1923     June 2, 1926     January 10, 1927     July 1, 1931     October 1, 1939     October 1, 1948     December 1, 1948     July 15, 1955     November 1, 1955     July 2, 1959     September 15, 1965     October 1, 1969     April 8, 1975     March 19, 1979     August 1, 1982     March 1, 1983     April 28, 1987     March 8, 1993     January 4, 1999     February 17, 2003     January 1, 2007	January 3, 1887 January 5, 1891 January 7, 1895 October 15, 1898 January 5, 1903 January 1, 1907 January 2, 1911 July 1, 1915 April 10, 1919 July 17, 1923 June 2, 1926 January 10, 1927 July 1, 1931 October 1, 1939 August 8, 1948 December 1, 1948 July 15, 1955 November 1, 1955 July 2, 1959 September 15, 1965 September 7, 1969 April 8, 1975 March 18, 1979 July 31, 1982 February 28, 1983 April 27, 1987 December 31, 1992 January 2, 1998 January 2, 1998 January 6, 2003 December 18, 2006

<sup>\*</sup>By chapter 56, section 32, General Laws of 1870, the Secretary of State was Commissioner of Insurance ex officio until 1878. The Office of the Commissioner of Insurance was made elective in 1881. In 1911 the office was made appointive instead of elective.



# State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Jim Doyle, Governor Sean Dilweg, Commissioner

Wisconsin.gov

125 South Webster Street \* P.O. Box 7873
Madison, Wisconsin 53707-7873
Phone: (608) 266-3585 \* Fax: (608) 266-9935
E-Mail: oclinformation@wisconsin.gov
Web Address: oci.wi.gov

The Honorable Jim Doyle Governor, State of Wisconsin 115 E. State Capitol Madison, WI 53702

Dear Governor Doyle:

I am pleased to submit the 140th Wisconsin Insurance Report covering 2008.

Wisconsin's tradition of sound regulation, combined with strong consumer protections, continued over the past year. Highlights of the Office of the Commissioner of Insurance's (OCI) accomplishments and innovations are as follows:

611116	has of the Office of the Commissioner of Insurance's (OCI) accomplishments and innovations are as follows:				
	Examined more than 50 domestic insurers' financial statements and market conduct practices.				
	Worked with the National Association of Insurance Commissioners (NAIC) on regulatory issues related to financial guaranty insurers.				
	Continued close monitoring of the impact of the economic downturn on Wisconsin's domestic insurers. Working with other states, we effectively addressed insurer financial reporting requirements.				
	Worked with the NAIC to develop a white paper on climate change. At the urging of OCI and other states, the NAIC adopted the Climate Change Disclosure Survey to collect substantive information about the risks posed by climate change to insurers and what actions the insurers have taken in response to those risks. This is the first mandatory climate disclosure required by any regulator.				
	Adoption of administrative rules to implement the Long-Term Care Insurance Partnership Program in Wisconsin. The rules describe training requirements for agents and companies who wish to market Partnership plans.				
	Joined the Interstate Insurance Product Regulation Commission (IIPRC).				
	Sincerely,				
	S Day				

Sean Dilweg Commissioner

#### Introduction

Every individual and business in Wisconsin depends upon insurance. Whether it is auto, home, life, commercial, or health, insurance plays an important role in people's lives. The Office of the Commissioner of Insurance (OCI) was created by the legislature in 1870 and vested with broad powers to ensure that the insurance industry meets the insurance needs of Wisconsin citizens responsibly and adequately.

The importance of fair, effective, and timely regulation of the insurance industry offers OCI a special challenge in meeting its public mission of leading the way in informing and protecting the public and responding to their insurance needs.

The major functions of the office include:

- Evaluating insurance policies that are sold in Wisconsin to determine if they meet the requirements of Wisconsin's laws.
- Conducting financial examinations of domestic and foreign insurers to assure compliance with Wisconsin regulations and rules.
- Monitoring the financial status of licensed companies and applicant companies to provide early warning of financial difficulty.
- Issuing licenses to companies, agents, brokers, surplus lines brokers, managing general agents, reinsurance brokers and managers, and organizations including employee benefit plan administrators.
- Examining and analyzing rates filed by insurance companies to determine if they are excessive, inadequate, or unfairly discriminatory.
- Investigating and processing consumer complaints against agents and insurance companies and attempting to bring the matter to a fair and reasonable conclusion.

- Researching special insurance problems through data collection and analysis and publishing conclusions and recommendations in special reports.
- Developing legislation and promulgating administrative rules that ensure a strong insurance market through proactive policy and skillful enforcement.
- Investigating and pursuing administrative actions against agents and insurers who violate Wisconsin insurance laws and regulations. Penalties include suspension or revocation of licenses and fines.
- Conducting a comprehensive program of consumer education and public information to educate consumers about insurance through public speaking and distribution of information booklets and comparison guides.
- Operating a state life insurance fund, a property fund for the property owned by local units of government, and a patients compensation fund insuring health care providers for medical malpractice.

## **Table of Contents**

		Page
I	. Administration of the Office	9
	Organizational Chart	11
	Organizational Structure	12
	Management Staff	13
	Office reisonnel	15
	Office Finances	18
II.	Executive Initiatives	19
	Regulatory Developments and Trends	21
	Legislation	23
	Administrative Rules	26
	National Association of Insurance Commissioners' (NAIC) Activities	30
	ravisory Boards, Committees, and Conneils	31
	Zanethis to mourers	36
	Administrative Actions	38
III.	Health Funds and Communications	
		63
	Public Information and Communications	CE
	Consumer Fundations	65
	Wanaged Care Specialist	67
	Injured Patients and Families Compensation Fund	71 72
IV.	Funds and Program Management	
		77
	Information Services Section	79
	Widnagement Analysis and Planning	81
	riternative work ratterns	82
	Eccur Government i Toperty Insurance Fund	83
	State Life Insurance Fund	86
V		00
٧.	Division of Regulation and Enforcement	89
	Bureau of Financial Analysis and Examinations	01
	Companies Examined in 2008	91
	Changes in Corporate Licenses	92
	Companies in Liquidation or Rehabilitation	93
		97
	Bureau of Market Regulation	100
	Toney Submissions and Rate Filings	102
	Tends in Complaints	104
	Companies Examined in 2008	107
	rigent Dicensing Section	108
	Commercial Liability illsurance Reports	109
	Wedical Walplactice Insurance Reports	113
	Product Liability Insurance Reports	115

#### Billie Jo CasaDecalvo

1616 Stonepine Bay, Hudson, WI 54016

Has had her insurance license revoked and was ordered to never reapply for an insurance intermediary license. This action was based on allegations of failing to remit premiums for property and casualty insurance products between January 2006 and October 2007, misrepresenting and falsifying insurance coverage for additional cargo coverage, and misrepresenting and falsifying insurance coverage for auto insurance documents. September 2008

#### Crystal J. Chapman

2511 Caddy Ln., Joliet, IL 60435

Has had her application for an insurance license denied. This action was based on allegations of failing to respond promptly to inquiries from OCI and failing to disclose administrative actions taken by the states of Colorado and Illinois on an insurance license application. January 2008

#### Geana Monet Christian

3904 N. 77th St., Milwaukee, WI 53222

Has had her insurance license revoked. This action was based on allegations of failing to pay Wisconsin delinquent taxes due. August 2008

#### Lissa M. Clem

6724 23rd Ave. Apt. Upper, Kenosha, WI 53143

Has had her insurance license revoked. This action was based on allegations of failing to pay Wisconsin delinquent taxes due. April 2008

### Graham McMurray Clement

5938 Flambeau Rd., Rancho Palos Verdes, CA 90275

Has had his application for an insurance license denied. This action was based on allegations of failing to respond promptly to inquiries from OCI and failing to disclose an administrative action taken by the state of Nevada on an insurance license application. November 2008

#### David M. Cleveland

1830 Lake Breeze Rd., Oshkosh, WI 54904

Has had his application for an insurance license denied. This action was based on allegations of failing to respond promptly to inquiries from OCI and a criminal conviction which may be substantially related to insurance marketing type conduct. August 2008

#### David D. Coenen

4524 N. Marshall Heights Ave., Appleton, WI 54913

Was ordered to pay a forfeiture of \$25,000.00, to undergo five years of supervision regarding annuity sales, to submit yearly reports to OCI, and to facilitate restitution to consumers. These actions were based on allegations of making unsuitable sales of insurance products to consumers and making false and misleading statements regarding insurance contracts. January 2008

#### Joel E. Cole

616 Peters Dr., Waukesha, WI 53188

Has had his insurance license revoked. This action was based on allegations of failing to pay Wisconsin delinquent taxes due. May 2008

#### Lisa A. Coleman

3020 17th Ave. Ct. W. #A, Gig Harbor, WA 98335

Has had her application for an insurance license denied. This action was based on allegations of failing to respond promptly to inquiries from OCI and failing to disclose an administrative action taken by the state of Washington on an insurance license application. January 2008

#### Reuben Edward Collier

2411 N. Jackson, Waukegan, IL 60087

Has had his insurance license revoked. This action was based on allegations of failing to pay Wisconsin delinquent taxes due. October 2008

#### Owen G. Costanza

199 Edson St., Poplar Grove, IL 61065

Has had his license denied for 31 days. This action was based on allegations of failing to disclose previous criminal convictions on an insurance license application and failing to disclose a company termination for allegations of misconduct. November 2008

#### James W. Crystal

875 Park Ave. #7B, New York, NY 10021

Has had his application for an insurance license denied. This action was based on allegations of failing to respond promptly to inquiries from OCI and an administrative action taken by another state. July 2008

#### Mark R. Cummisford

6980 S. Crane Dr., Oak Creek, WI 53154

Has had his license denied for 31 days. This action was based on allegations of failing to disclose an administrative action taken by the state of Wisconsin, Department of Regulation and Licensing, Real Estate Examining Board, on an insurance license application. September 2008

#### Sean Richard Dahl

907 S. Comanche Ln., Waukesha, WI 53188

Paid a forfeiture of \$250.00, was ordered to respond truthfully to all inquiries from OCI, and has had his license denied for 30 days. This action was based on allegations

STATE OF INDIANA	) ) SS:	BEFORE THE INDIANA	
COUNTY OF MARION	)	COMMISSIONER OF INSURANCE	
		CAUSE NUMBER: 9384-AG10-0831-135	
IN THE MATTER OF:			
Owen Costanza Agent / Respondent			
199 Edson Street		SEP 2 1 2010	
Poplar Grove, IL 61065		) 357 21 2010	
Type of Agency Action: Enforcement		STATE OF INDIANA DEPT. OF INSURANCE	
Indiana Insurance License No.: 42:	5943	{	

## FINAL ORDER AND APPROVAL

The Indiana Department of Insurance ("Department") and Owen Costanza ("Respondent"), a licensed resident Indiana Insurance Producer, signed an Agreed Entry which purports to resolve all issues involved in the above captioned action, and which has been submitted to the Acting Commissioner of Insurance (the "Commissioner") for approval. (See Exhibit 'A' attached hereto)

The Acting Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Acting Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.



# IT IS THEREFORE ORDERED by the Acting Commissioner of Insurance:

1. Respondent shall pay a fifteen hundred dollar (\$1,500.00) civil penalty to the Indiana Department of Insurance within thirty (30) day from the date this order is filed.

ALL OF WHICH IS ORDERED this 2151 day of 2010.

Stephen W. Robertson

Acting Commissioner/Executive Director Indiana Department of Insurance

Distribution:

Laura A. Levenhagen
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 300
Indianapolis, Indiana 46204-2787

Owen Costanza 199 Edson St. Poplar Grove, IL 61065

STATE OF INDIANA	) ) SS: )	BEFORE THE INDIANA COMMISSIONER OF INSURANCE		
COUNTY OF MARION				
		CAUSE NUMBER: 9384-AG10-0831-135		
IN THE MATTER OF:				
Owen Costanza Agent / Respondent				
199 Edson Street				
Poplar Grove, IL 61065  Type of Agency Action: Enforcement  Indiana Insurance License No.: 425943		SEP 21 2010		
		STATE OF INDIANA DEPT. OF INSURANCE		
12		)		

### AGREED ENTRY

This Agreed Entry is executed between the State of Indiana, Department of Insurance ("Department") through Counsel Laura A. W. Levenhagen, and Owen Costanza ("Respondent"), a licensed non-resident insurance agent. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Executive Director and Acting Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed non-resident insurance producer in Indiana, holding license number 425943.

WHEREFORE, on May 21, 2010 Respondent applied for, and was granted, an Indiana non-resident producer license;

WHEREAS, when asked on the application "[h]ave you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" Respondent indicated "NO", which was false;

WHEREAS, when asked on the application "[h]ave you ever been named as a party in an

administrative proceeding regarding any professional or occupational license or registration?" Respondent indicated "NO", which was false;

WHEREAS, when asked on the application "[h]ave you... ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct?" Respondent indicated "NO", which was false.

IT IS THEREFORE, NOW AGREED by and between the parties as follows:

- The Commissioner has jurisdiction over the subject matter of, and the parties to, this Agreed Entry.
- This Agreed Entry is executed voluntarily by the parties without the presence of any duress, coercion, or undue influence.
- Respondent voluntarily and freely waives his right to a public hearing on the issues in the above captioned matter.
- Respondent voluntarily and freely waives his right to petition for judicial review of this agreement and the Commissioner's Final Order.
- Respondent acknowledges that his Indiana non-resident producer license was granted through misrepresentation.
- 6. Respondent agrees that his actions have made him subject to penalties under Indiana Code § 27-1-15.6.12(b)(3), including, but not limited to, probation, suspension, or revocation of Respondent's Indiana non-resident insurance license, and fines.
- 7. Respondent agrees to pay a fifteen hundred dollar (\$1,500.00) civil penalty, which shall be payable within thirty (30) days from the date the Commissioner files a Final Order in the above captioned matter.
- 8. The Department agrees to accept Respondent's compliance with the terms of this agreement as full resolution of this matter.

- 9. Respondent has carefully read and examined this agreement and fully understands its terms.
- Respondent is aware that failure to comply with any term of this agreement will 10. result in the matter being set for hearing.
- Respondent understands that this agreement will result in a state action against his 11. Indiana non-resident license, and Respondent may be required to report that action to other states where he holds professional licenses.

Laura A. W. Levenhagen, Attorney Indiana Department of Insurance

Owen Costanza, Respondent

COUNTY OF)	
Before me a Notary Public for	County, State of Owen Costanza and being first duly sworn by me upon his agoing instrument are true. Signed and sealed this 10
	Notary Signature
	PA HARVEY Notary Name Printed
My Commission expires: 9.14.10	
County of Residence: BOONE	

INDIANA DEPARTMENT OF INSURANCE Enforcement Division Suite 300 311 West Washington Street Indianapolis, IN 46204-2787 317/233-4243 - telephone 317/232-5251 - facsimile

### RMS Service Group, Inc. 911 E. Touhy Ave. Suite 200 Des Plaines, IL 60018

January 27, 2011

Via E-mail at owencostanza@msn.com Via E-mail at owen@rmsinsuranceservices.com Via Federal Express

Owen Costanza 199 Edison St. Poplar Grove, IL 61065

Re: Letter of Termination

Dear Mr. Costanza:

This letter is being written to inform you that effective immediately your employment with RMS Service Group, Inc. is terminated.

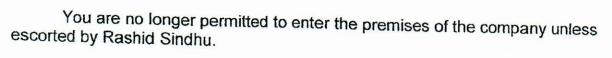
It has come to our attention that you have altered access to the Applied Systems TAM application, access to our phone systems and changed company passwords at our insurance company data bases. You have also opened an unauthorized business account at Poplar Grove State Bank. In addition, it has come to our attention that you have conducted a mass deletion of e-mails without permission or authorization.

These actions have all been done following being confronted on January 15, 2011 with unauthorized disbursements made to you and on your behalf from the Premium Fund Trust account maintained at National City Bank (n/k/a PNC Bank). In addition, you were asked to explain several transactions in which it appears that you accepted premium payments from customers and failed to remit said premiums to insurance companies for the issuance of insurance policies. You were also confronted with and asked to explain altered customer premiums that did not reconcile with insurance policies issued to said customers.

Finally, it has come to our attention that you formed RMS Insurance Services, Inc. on January 16, 2011. The Illinois Secretary of State's website lists you as the registered agent with an address at RMS Service Group, Inc. office in Poplar Grove, Illinois. Please be advised that RMS Service Group, Inc. will take any and all actions available to it under the Illinois Trade Secrets Act to make sure that you are held personally liable for any misappropriation of confidential information or trade secrets from it.



Owen Costanza Page 2 January 27, 2011

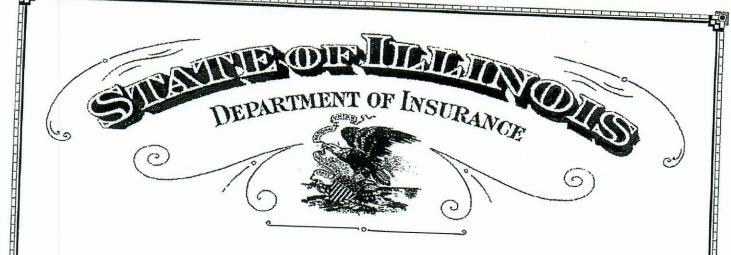


Very truly yours,

RMS SERVICE GROUP, INC.

By: Rashid Sindhu, President

cc: David J. Schwab



IN THE MATTER OF THE REVOCATION OF LICENSING AUTHORITY OF:

RMS SERVICE GROUP, INC. d/b/a/Alliance Insurance Agency

And

OWEN G. COSTANZA

HEARING NO. 14-HR-0482

## ORDER OF DISMISSAL

WHEREAS, on April 3, 2014, an Order of Revocation was issued by the former Director of Insurance, Andrew Boron ("Director"), to Owen Costanza ("Respondent") and RMS Service Group Inc., d/b/a/Alliance Insurance agency ("RMS") (collectively, "Respondents"), revoking the Illinois insurance producer license of the Respondent and business entity license of RMS:

WHEREAS, on June 20, 2014, pursuant to Ms. Gabriella Moretti of Ziccardi Law Offices request for a hearing on behalf of the Respondents, a Notice of Hearing was issued by the Director setting an original hearing date of August 27, 2014;

WHEREAS, on July 17, 2014, the Respondents submitted a Motion for Continuance;

WHEREAS, on August 12, 2014, an Order was issued by the appointed Hearing Officer continuing this matter generally;

WHEREAS, on February 20, 2015, the Respondents and the Acting Director of Insurance, James A. Stephens, entered into a Stipulation and Consent Order (attached) for purposes of resolving all matters pertaining to the previously issued Order of Revocation;



WHEREAS, the Acting Director of Insurance being otherwise fully advised in the premises.

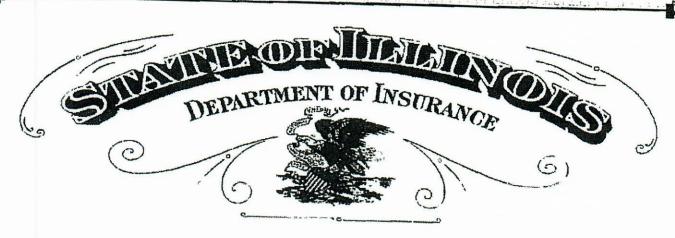
NOW THEREFORE, IT IS HEREBY ORDERED that Hearing No. 14-HR-0482 is dismissed.

DEPARTMENT OF INSURANCE STATE OF ILLINOIS

DATE: \_\_\_\_March 4, 2015

James A. Stephens

Acting Director of Insurance



IN THE MATTER OF: THE REVOCATION OF LICENSING AUTHORITY OF:

RMS Service Group, Inc. d/b/a Alliance Insurance Agency 13532 Julie Drive Poplar Grove, IL 61065

And

14-HR-0482

Owen G. Costanza 199 Edson Street Poplar Grove, IL 61065

## STIPULATION AND CONSENT ORDER

WHEREAS, Owen Costanza (Licensee), is a licensed producer in the State of Illinois and RMS Service Group, Inc. d/b/a Alliance Insurance Agency (Business Entity) was a licensed business entity in the State of Illinois; and

WHEREAS, the Licensee and Business Entity are aware that Section 5/500-70(e) [215 ILCS 5/500-70(e)] states the following: "The Director has the authority to enforce the provisions of and impose any penalty or remedy authorized by this Article against any person who is under investigation for or charged with a violation of this Code or rules even if the person's license or registration has been surrendered or has lapsed by operation of law;" and

WHEREAS, the Licensee and Business Entity are aware of the actions, steps and remedies which the Director of Insurance is authorized to take under Section 5/500-70 of the Illinois Insurance Code (215 ILCS 5/500-70); and

WHEREAS, the Licensee and Business Entity are advised that the Department of Insurance has caused an investigation to be commenced to determine whether or not such causes and conditions exist as would authorize the Director of Insurance to take such actions and steps or pursue such remedies as are

l

provided in Section 5/500-70 of the Illinois Insurance Code; and

WHEREAS, the Licensee and Business Entity are aware of and understand the nature of this investigation and the charges and their various rights in connection therewith, including the right to counsel, notice, hearing and appeal under Section 5/500-70 of the Illinois Insurance Code and 50 Ill. Adm. Code 2402; and

WHEREAS, the Licensee and Business Entity, for the purpose of resolving all matters raised by the investigation without the necessity of an administrative hearing, enters into this Stipulation and Consent Order.

NOW THEREFORE, IT IS AGREED by and between the Licensee and Business Entity and the Director of Insurance as follows:

- To waive the Notice and Hearing as required under Section 5/500-70 of the Illinois Insurance Code.
- II. To stipulate that the Director of Insurance alleges the following:
  - A. A fiduciary review revealed that for the time period of August 31, 2010 through January 14, 2011, the Business Entity and Licensee's PFTA was deficient in respect to those premium monies under examination on 117 days during that time period. The review pertained to premiums collected from 17 consumers.

During the 117 days in which the PFTA was deficient, the deficiency differences ranged from \$200.14 to \$24,574.16 with an average of \$15,240.35.

- B. From August 2, 2010 through October 21, 2010, the Business Entity and Licensee collected insurance premiums from three (3) consumers but failed to forward the premiums to the insurer within the required timeframe.
- C. The examination revealed the Business Entity and Licensee failed to return four (4) return premiums to insureds within 15 days of receipt from the insurer or other licensee.

On those four (4) occasions, the Business Entity and Licensee failed to obtain written authorization from the insured to hold credit balances.

Of the four (4) return premiums not returned timely, the average return premium was \$611.32. Furthermore, the Business Entity and Licensee held the four (4) return premiums for an average of 301 days.

- D. During March 2010, the Business Entity and Licensee made unlawful withdrawals that totaled \$9,400.00 from the PFTA, \$10,733.97 from the Main Account and \$16,385.66 from the Operating Account, all held at National City Bank.
- E. On September 22, 2010, the Business Entity and Licensee deposited

\$365.83 received from a consumer for a homeowner's insurance policy. On September 27, 2010, \$196.40 was paid to the insurer. The remainder of \$169.43 was not repaid to the consumer until October 5, 2011.

- F. During the course of the examination the examiner reviewed 13 consumer files for service fees. Nine (9) of the thirteen (13) files revealed the consumers were being charged a service fee and all nine (9) files had no Service Fee Agreements and six (6) of the nine (9) had no invoices sent to the consumer informing them of the service fee.
- G. During February 2009, the Business Entity and Licensee deposited premium monies totaling \$1,011.00 and paid premiums totaling \$1,535.50 from the Main Account. During July 2009, the Business Entity and Licensee deposited premium monies totaling \$2,242.00 into the Main Account, \$3,283.88 into the Operating Account and paid premiums totaling \$5,838.17 from the Main Account. During March 2010, the Business Entity and Licensee deposited premium monies totaling \$1,756.17 into the Operating Account and paid premiums totaling \$567.00 from the Main Account. During July 2010, the Business Entity and Licensee paid premiums totaling \$76.00 from the Main Account.

H. The check register provided by the Business Entity and Licensee did not include positive running balances after each deposit or disbursement entry.

From May 31, 2008 through February 28, 2011, the Business Entity and Licensee's bank accounts held at National City/PNC Bank had a combined negative balance on thirty-two (32) separate dates.

- I. The Business Entity and Licensee maintained a Bond in the amount of \$2,500.00 from 2008 through 2011. The Business Entity and Licensee brokered \$146,831.00 in 2010 indicating the minimum amount of the bond for calendar year 2011 should have been \$7,342.00.
- J. In 2008, the State of Wisconsin denied the Business Entity and Licensee's application for failing to disclose previous criminal convictions on an insurance license application and failing to disclose a company termination for allegations of misconduct.

In 2010, the State of Indiana filed an Agreed Entry with a \$1,500 civil penalty against the Licensee for failing to disclose prior criminal convictions, having a judgment withheld or deferred, pending criminal investigation, or being named as a party in administrative proceedings regarding a professional or occupational license or registration on their application.

- K. The Business Entity and Licensee answered "No" to question #2 when asked about their involvement in an administrative proceeding regarding a professional or occupational license or registration, regarding whether administrative action was taken by another State on their 2010 and 2012 application renewals for a license.
- L. The Business Entity and Licensee's PFTA bank statement with National City Bank/PNC have the account labeled: "DBA Alliance Insurance." An Illinois Casualty Direct Bill Statement was issued to "Alliance Insurance Agency." Premiums sent in by consumers are written to "Alliance Insurance Agency." Alliance Insurance Agency is not licensed as a business entity to transact insurance business with the State of Illinois in violation of Section 5/500-30(c) of the Illinois Insurance Code (215 ILCS 5/500-30(c)) nor does the license issued for the Business Entity include the DBA Alliance Insurance Agency in violation of Section 5/500-55 of the Illinois Insurance Code (215 ILCS 5/500-55)).
- M. The Business Entity and Licensee provided the Department examiner with a Check Register Report which did not have all checks issued listed and was not accurate as to actual checks issued with the correct check number.
- N. The Business Entity and Licensee did not provide the Department examiner with a listing of deposits or monies received. Although some deposits of premium monies had been entered into their Applied computer system, it was not done on a consistent or complete basis. Deposit slips did not have the name of the consumer or payee listed.
- O. The Business Entity and Licensee did not prepare and maintain bank reconciliations for any of the bank accounts for the time period from June 1, 2008 through January 31, 2011.
- P. The Business Entity and Licensee have a PFTA held at National City Bank which was changed to PNC Bank. The Business Entity and Licensee's PFTAs were labeled "Premium Trust Account" on the bank statements and the checks. The Business Entity and Licensee's bank statements through January, 2011 were labeled "Premium Trust Account." Check #1314 written on September 9, 2010 on the Business Entity and Licensee's National City Bank account #986631529, has "Premium Fund Trust Account" on the face of the check.
- III. The Licensee and Business Entity does consent to entry of the following Order based upon the above stipulations.

NOW THEREFORE, IT IS HEREBY ORDERED by the undersigned Director of Insurance, Department of Insurance, pursuant to Section 5/500-70 of the Illinois Insurance Code that Licensee and

### Business Entity:

- Shall voluntarily agree to the revocation of the Business Entity license of RMS Service Group, Inc., d/b/a Alliance Insurance Agency.
- 2. Shall pay a civil penalty in the amount of \$30,000.00 to the Director of the Illinois Department of Insurance. The payment of the civil penalty shall be as follows: \$10,000.00 is due to the Director of the Illinois Department of Insurance within 15 days of the date of this Order and the remainder (\$20,000.00) is due to the Director of the Illinois Department of Insurance within one year of the date of this Order to be paid in monthly installments directly to the Illinois Department of Insurance, Attention: Cathy Suhling, 320 West Washington Street, 4th Floor, Springfield, Illinois 62767.
- Shall not violate any sections of the Illinois Insurance Code or Title 50 of the Illinois Administrative Code.

This Stipulation and Consent Order supersedes the Order of Revocation dated April 3, 2014. Hearing No. 14-HR-0482 shall be dismissed based upon the entry of this Stipulation and Consent Order.

A material violation of the above Stipulation & Consent Order, including failure to comply with the monthly payments of the civil penalty, shall subject the Licensee to further administrative action pursuant to Section 5/407.2 of the Illinois Insurance Code (215 ILCS 5/407.2).

Nothing contained herein shall prohibit the Director of Insurance from taking any and all appropriate action should the Licensee violate any of the provisions of this Stipulation and Consent Order or any provisions of the Illinois Insurance Code or Title 50 of the Illinois Administrative Code.

Owen G. Costanza, Licensee and as representative of RMS Service Group, Inc., Business Entity

State of Illinois

County of Winnewago

)

Subscribed and sworn to, before me, this \( \lambda \beta \) day of

Felo, 2015

Midna Notary Public

OFFICIAL SEAL
CAPPIE PETERSEN
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 01/14/18

DEPARTMENT OF INSURANCE of the State of Illinois;

ephons lams

Date: 3/20/15

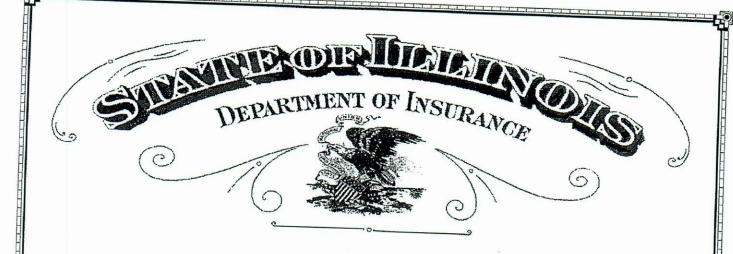
James A. Stephens Acting Director

# CERTICATE OF SERVICE

of the foregoing instrument to be served upon captioned matter, by the designated means:	the Attorneys of Record or Parties to the above	
RMS Service Group, Inc. d/b/a Alliance Ins.Agency 13532 Julie Dr. Poplar Grove, Il 61065	first class mail certified mail # 852/ hand delivery electronic mail via facsimile	as of
Owen G. Costanza 199 Edison St. Poplar Grove, Il 61065	first class mail certified mail # 8538 hand delivery electronic mail via facsimile	
Gabriella Moretti Ziccardi Law Offices 77 W. Washington St., Ste. 705 Chicago, Il 60602	first class mail #	a vije ga sa

Mary Ann Lelys

Administrative Assistant



IN THE MATTER OF THE REVOCATION OF LICENSING AUTHORITY OF:

RMS SERVICE GROUP, INC. d/b/a/Alliance Insurance Agency

And

OWEN G. COSTANZA

HEARING NO. 14-HR-0482



## ORDER OF DISMISSAL

WHEREAS, on April 3, 2014, an Order of Revocation was issued by the former Director of Insurance, Andrew Boron ("Director"), to Owen Costanza ("Respondent") and RMS Service Group Inc., d/b/a/Alliance Insurance agency ("RMS") (collectively, "Respondents"), revoking the Illinois insurance producer license of the Respondent and business entity license of RMS;

WHEREAS, on June 20, 2014, pursuant to Ms. Gabriella Moretti of Ziccardi Law Offices request for a hearing on behalf of the Respondents, a Notice of Hearing was issued by the Director setting an original hearing date of August 27, 2014;

WHEREAS, on July 17, 2014, the Respondents submitted a Motion for Continuance;

WHEREAS, on August 12, 2014, an Order was issued by the appointed Hearing Officer continuing this matter generally;

WHEREAS, on February 20, 2015, the Respondents and the Acting Director of Insurance, James A. Stephens, entered into a Stipulation and Consent Order (attached) for purposes of resolving all matters pertaining to the previously issued Order of Revocation;

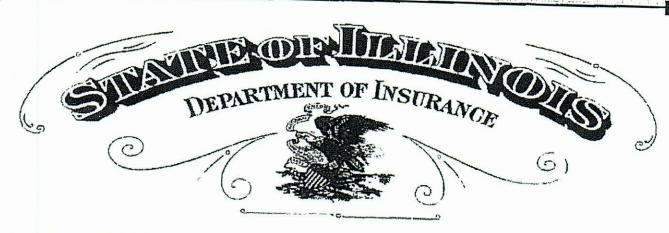
WHEREAS, the Acting Director of Insurance being otherwise fully advised in the premises.

NOW THEREFORE, IT IS HEREBY ORDERED that Hearing No. 14-HR-0482 is dismissed.

DEPARTMENT OF INSURANCE STATE OF ILLINOIS

DATE: \_\_\_ March 4, 2015

Acting Director of Insurance



IN THE MATTER OF: THE REVOCATION OF LICENSING AUTHORITY OF:

RMS Service Group, Inc. d/b/a Alliance Insurance Agency 13532 Julie Drive Poplar Grove, IL 61065

And

14-HR-0482

Owen G. Costanza 199 Edson Street Poplar Grove, IL 61065

## STIPULATION AND CONSENT ORDER

WHEREAS, Owen Costanza (Licensee), is a licensed producer in the State of Illinois and RMS Service Group, Inc. d/b/a Alliance Insurance Agency (Business Entity) was a licensed business entity in the State of Illinois; and

WHEREAS, the Licensee and Business Entity are aware that Section 5/500-70(e) [215 ILCS 5/500-70(e)] states the following: "The Director has the authority to enforce the provisions of and impose any penalty or remedy authorized by this Article against any person who is under investigation for or charged with a violation of this Code or rules even if the person's license or registration has been surrendered or has lapsed by operation of law;" and

WHEREAS, the Licensee and Business Entity are aware of the actions, steps and remedies which the Director of Insurance is authorized to take under Section 5/500-70 of the Illinois Insurance Code (215 ILCS 5/500-70); and

WHEREAS, the Licensee and Business Entity are advised that the Department of Insurance has caused an investigation to be commenced to determine whether or not such causes and conditions exist as would authorize the Director of Insurance to take such actions and steps or pursue such remedies as are

l

provided in Section 5/500-70 of the Illinois Insurance Code; and

WHEREAS, the Licensee and Business Entity are aware of and understand the nature of this investigation and the charges and their various rights in connection therewith, including the right to counsel, notice, hearing and appeal under Section 5/500-70 of the Illinois Insurance Code and 50 Ill. Adm. Code 2402; and

WHEREAS, the Licensee and Business Entity, for the purpose of resolving all matters raised by the investigation without the necessity of an administrative hearing, enters into this Stipulation and Consent Order.

NOW THEREFORE, IT IS AGREED by and between the Licensee and Business Entity and the Director of Insurance as follows:

- To waive the Notice and Hearing as required under Section 5/500-70 of the Illinois Insurance Code.
- II. To stipulate that the Director of Insurance alleges the following:

A. A fiduciary review revealed that for the time period of August 31, 2010 through January 14, 2011, the Business Entity and Licensee's PFTA was deficient in respect to those premium monies under examination on 117 days during that time period. The review pertained to premiums collected from 17 consumers.

During the 117 days in which the PFTA was deficient, the deficiency differences ranged from \$200.14 to \$24,574.16 with an average of \$15,240.35.

- B. From August 2, 2010 through October 21, 2010, the Business Entity and Licensee collected insurance premiums from three (3) consumers but failed to forward the premiums to the insurer within the required timeframe.
- C. The examination revealed the Business Entity and Licensee failed to return four (4) return premiums to insureds within 15 days of receipt from the insurer or other licensee.

On those four (4) occasions, the Business Entity and Licensee failed to obtain written authorization from the insured to hold credit balances.

Of the four (4) return premiums not returned timely, the average return premium was \$611.32. Furthermore, the Business Entity and Licensee held the four (4) return premiums for an average of 301 days.

- D. During March 2010, the Business Entity and Licensee made unlawful withdrawals that totaled \$9,400.00 from the PFTA, \$10,733.97 from the Main Account and \$16,385.66 from the Operating Account, all held at National City Bank.
- E. On September 22, 2010, the Business Entity and Licensee deposited

\$365.83 received from a consumer for a homeowner's insurance policy. On September 27, 2010, \$196.40 was paid to the insurer. The remainder of \$169.43 was not repaid to the consumer until October 5, 2011.

- F. During the course of the examination the examiner reviewed 13 consumer files for service fees. Nine (9) of the thirteen (13) files revealed the consumers were being charged a service fee and all nine (9) files had no Service Fee Agreements and six (6) of the nine (9) had no invoices sent to the consumer informing them of the service fee.
- G. During February 2009, the Business Entity and Licensee deposited premium monies totaling \$1,011.00 and paid premiums totaling \$1,535.50 from the Main Account. During July 2009, the Business Entity and Licensee deposited premium monies totaling \$2,242.00 into the Main Account, \$3,283.88 into the Operating Account and paid premiums totaling \$5,838.17 from the Main Account. During March 2010, the Business Entity and Licensee deposited premium monies totaling \$1,756.17 into the Operating Account and paid premiums totaling \$567.00 from the Main Account. During July 2010, the Business Entity and Licensee paid premiums totaling \$76.00 from the Main Account.
- H. The check register provided by the Business Entity and Licensee did not include positive running balances after each deposit or disbursement entry.

From May 31, 2008 through February 28, 2011, the Business Entity and Licensee's bank accounts held at National City/PNC Bank had a combined negative balance on thirty-two (32) separate dates.

- I. The Business Entity and Licensee maintained a Bond in the amount of \$2,500.00 from 2008 through 2011. The Business Entity and Licensee brokered \$146,831.00 in 2010 indicating the minimum amount of the bond for calendar year 2011 should have been \$7,342.00.
- J. In 2008, the State of Wisconsin denied the Business Entity and Licensee's application for failing to disclose previous criminal convictions on an insurance license application and failing to disclose a company termination for allegations of misconduct.

In 2010, the State of Indiana filed an Agreed Entry with a \$1,500 civil penalty against the Licensee for failing to disclose prior criminal convictions, having a judgment withheld or deferred, pending criminal investigation, or being named as a party in administrative proceedings regarding a professional or occupational license or registration on their application.

- K. The Business Entity and Licensee answered "No" to question #2 when asked about their involvement in an administrative proceeding regarding a professional or occupational license or registration, regarding whether administrative action was taken by another State on their 2010 and 2012 application renewals for a license.
- L. The Business Entity and Licensee's PFTA bank statement with National City Bank/PNC have the account labeled: "DBA Alliance Insurance." An Illinois Casualty Direct Bill Statement was issued to "Alliance Insurance Agency." Premiums sent in by consumers are written to "Alliance Insurance Agency." Alliance Insurance Agency is not licensed as a business entity to transact insurance business with the State of Illinois in violation of Section 5/500-30(c) of the Illinois Insurance Code (215 ILCS 5/500-30(c)) nor does the license issued for the Business Entity include the DBA Alliance Insurance Agency in violation of Section 5/500-55 of the Illinois Insurance Code (215 ILCS 5/500-55)).
- M. The Business Entity and Licensee provided the Department examiner with a Check Register Report which did not have all checks issued listed and was not accurate as to actual checks issued with the correct check number.
- N. The Business Entity and Licensee did not provide the Department examiner with a listing of deposits or monies received. Although some deposits of premium monies had been entered into their Applied computer system, it was not done on a consistent or complete basis. Deposit slips did not have the name of the consumer or payee listed.
- O. The Business Entity and Licensee did not prepare and maintain bank reconciliations for any of the bank accounts for the time period from June 1, 2008 through January 31, 2011.
- P. The Business Entity and Licensee have a PFTA held at National City Bank which was changed to PNC Bank. The Business Entity and Licensee's PFTAs were labeled "Premium Trust Account" on the bank statements and the checks. The Business Entity and Licensee's bank statements through January, 2011 were labeled "Premium Trust Account." Check #1314 written on September 9, 2010 on the Business Entity and Licensee's National City Bank account #986631529, has "Premium Fund Trust Account" on the face of the check.
- III. The Licensee and Business Entity does consent to entry of the following Order based upon the above stipulations.

NOW THEREFORE, IT IS HEREBY ORDERED by the undersigned Director of Insurance, Department of Insurance, pursuant to Section 5/500-70 of the Illinois Insurance Code that Licensee and

### Business Entity:

- Shall voluntarily agree to the revocation of the Business Entity license of RMS Service Group, Inc., d/b/a Alliance Insurance Agency.
- 2. Shall pay a civil penalty in the amount of \$30,000.00 to the Director of the Illinois Department of Insurance. The payment of the civil penalty shall be as follows: \$10,000.00 is due to the Director of the Illinois Department of Insurance within 15 days of the date of this Order and the remainder (\$20,000.00) is due to the Director of the Illinois Department of Insurance within one year of the date of this Order to be paid in monthly installments directly to the Illinois Department of Insurance, Attention: Cathy Suhling, 320 West Washington Street, 4th Floor, Springfield, Illinois 62767.
- Shall not violate any sections of the Illinois Insurance Code or Title 50 of the Illinois Administrative Code.

This Stipulation and Consent Order supersedes the Order of Revocation dated April 3, 2014. Hearing No. 14-HR-0482 shall be dismissed based upon the entry of this Stipulation and Consent Order.

A material violation of the above Stipulation & Consent Order, including failure to comply with the monthly payments of the civil penalty, shall subject the Licensee to further administrative action pursuant to Section 5/407.2 of the Illinois Insurance Code (215 ILCS 5/407.2).

Nothing contained herein shall prohibit the Director of Insurance from taking any and all appropriate action should the Licensee violate any of the provisions of this Stipulation and Consent Order or any provisions of the Illinois Insurance Code or Title 50 of the Illinois Administrative Code.

Owen G. Costanza, Licensee and as representative of RMS Service Group, Inc., Business Entity

Date: 2/18/15

State of Illinois

County of Winnebago )SS

Feb . 2015

Modern Public

OFFICIAL SEAL
CAPPIE PETERSEN
NOTARY PUBLIC - STATE OF BLINOIS
NY COMMISSION EXPRES-01/14/18

DEPARTMENT OF INSURANCE of the State of Illinois;

ephons lams

Date: 3/20/15

James A. Stephens Acting Director

# CERTICATE OF SERVICE

of the foregoing instrument to be served upon captioned matter, by the designated means:	20 . , I caused a true and correct the Attorneys of Record or Parties to the	t copy above
RMS Service Group, Inc. d/b/a Alliance Ins.Agency 13532 Julie Dr. Poplar Grove, Il 61065	first class mail certified mail # \$52/ hand delivery electronic mail via facsimile	, , తెలున. ————————————————————————————————————
Owen G. Costanza 199 Edison St. Poplar Grove, Il 61065	first class mail certified mail # 8538 hand delivery electronic mail via facsimile	S SAC MAR
Gabriella Moretti Ziccardi Law Offices 77 W. Washington St., Ste. 705 Chicago, Il 60602	first class mail certified mail # 55-45 hand delivery electronic mail via facsimile	e entre entr

Mary Ann Lelys

Administrative Assistant