

FILED

NOV 13 2014



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

Docketed by Am

IN THE MATTER OF:

CASE NO.: 163216-14-AG

GREGG MATTHEWS KUCHAR  
\_\_\_\_\_ /

CONSENT ORDER

THIS CAUSE came on for consideration and final agency action. Upon consideration of the record, including the Settlement Stipulation for Consent Order dated October 24, 2014, and being otherwise fully advised in the premises, the Chief Financial Officer finds:

1. The Chief Financial Officer, as agency head of the Florida Department of Financial Services (the "Department"), has jurisdiction over the subject matter of this case and the parties.

2. The entry of this Consent Order and compliance herewith by Gregg Matthews Kuchar (the "Respondent"), License #A146520, shall conclude the administrative proceeding of Case No. 163216-14-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated October 24, 2014, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) The Respondent's licensure and eligibility for licensure as an insurance agent within the state are hereby surrendered to the Department. The surrender shall have the

same force and effect as a revocation, and shall constitute a revocation. The Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm. The Respondent shall immediately return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) Subsequent to the date of the execution of this Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of this Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.

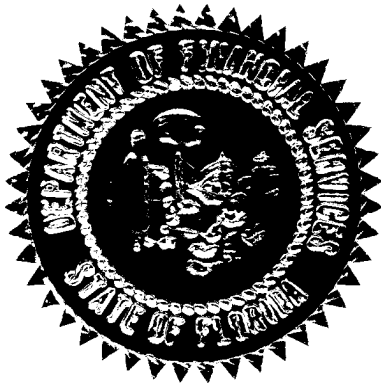
(d) The Respondent shall be immediately and permanently removed, pursuant to section 624.310, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.


(e) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the

Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

(f) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

DONE and ORDERED this 13<sup>th</sup> day of November, 2014.



  
\_\_\_\_\_  
Gregory Thomas  
Director, Agent & Agency Services

Copies Furnished To:

Gregg Matthews Kuchar  
795 Merrimon Avenue, Suite 1  
Asheville, North Carolina 28804-2448

Gregg Matthews Kuchar  
58 Woodland Road  
Asheville, North Carolina 28804-3823

Greg Thomas, Director  
Division of Agent & Agency Services  
200 East Gaines Street  
Tallahassee, Florida 32399-0320

Complaint & Settlement  
Division of Legal Services  
200 East Gaines Street  
Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER  
JEFF ATWATER  
STATE OF FLORIDA

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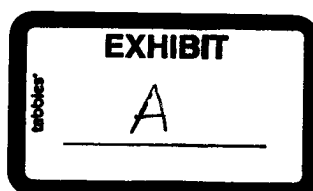
SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS HEREBY AGREED and STIPULATED by and between Gregg Matthews Kuchar ("the Respondent") and the State of Florida, Department of Financial Services ("the Department"), that:

1. The Respondent is currently licensed as a Non-Resident Life and Variable Annuity Agent, a Non-Resident Life, Health and Variable Annuity Agent, a Non-Resident Life Agent, and a Non-Resident Life and Health Agent. At all times relevant to the dates and occurrences referred to herein, the Respondent was so licensed in this state.

2. Pursuant to chapter 626, Florida Statutes, the Department has jurisdiction over the Respondent's licensure and eligibility for licensure and appointment in this state and the subject matter of this proceeding.

3. The Department conducted an investigation of the Respondent in his capacity as a licensee. On May 14, 2014 the Financial Industry Regulatory Authority (FINRA) issued a Letter



of Acceptance, Waiver and Consent permanently barring the Respondent from association with any member, he failed to notify the Department within thirty (30) days of the final disposition of the order and failed to update his contact information with the Department. In order to avoid formal litigation of this matter, the Respondent has determined that it is in his best interests to enter into this Settlement Stipulation for Consent Order.

4. The Respondent voluntarily waives receipt of any notice or charges other than this Settlement Stipulation for Consent Order with respect to his licenses and disciplinary penalties.

5. The Respondent voluntarily waives receipt of an administrative complaint pursuant to section 120.60(5), Florida Statutes, or any notice or charges other than this Settlement Stipulation for Consent Order with respect to his licenses and disciplinary penalties.

6. By entering into this Settlement Stipulation for Consent Order and by the filing of a Consent Order in this case, the Respondent and the Department intend to and do resolve all issues pertaining to the license disciplinary administrative penalties to be imposed against the Respondent based on the allegations in paragraph 3 above.

7. Neither party will appeal this Settlement Stipulation for Consent Order or the Consent Order to be issued in this cause, and the parties specifically waive notice of the right to appeal as required by section 120.569(1), Florida Statutes.

8. This document is a public record and contains information which is routinely published by the Department.

9. Each party to this proceeding shall bear its own costs and attorneys fees.

10. This Settlement Stipulation for Consent Order is subject to the approval of the Chief Financial Officer or his designee. Upon his approval, and without further notice, the Chief Financial Officer or his designee may issue a Consent Order providing for the following:

(a) Incorporation by reference of the terms and conditions of this Settlement Stipulation for Consent Order.

(b) The Respondent's licensure and eligibility for licensure as an insurance agent within the state are hereby surrendered to the Department. The surrender shall have the same force and effect as a revocation, and shall constitute a revocation. The Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm. The Respondent shall immediately return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) Subsequent to the date of the execution of the Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of the Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.

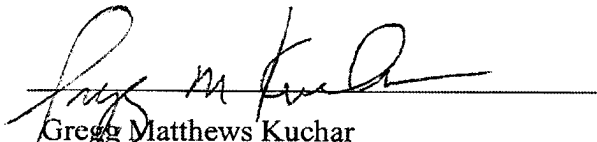
(d) The Respondent shall be immediately and permanently removed, pursuant to section 624.510, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.

(e) If the Department has good cause to believe that the Respondent has violated any condition of this Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action.

(f) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

11. The Respondent certifies that the address and below the Respondent's signature is a valid address.

DATED and SIGNED this 24<sup>th</sup> day of October, 2014



Gregg Matthews Kuchar  
58 Woodland Road  
Asheville, North Carolina 28804-3823



Barry K. Lanier, FLMI, CLU  
Bureau Chief  
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