No. 2022-7164

Official Order
of the
Texas Commissioner of Insurance

Date: 01/11/2022

Subject Considered: Evolve Cyber Insurance Services LLC
1752 Lincoln Avenue
San Rafael, California 94901

Consent Order
TDI Enforcement File No. 28834

General remarks and official action taken:

This is a consent order with Evolve Cyber Insurance Services LLC (ECIS). ECIS failed to timely file six surplus lines policies and related documents. ECIS has agreed to pay an administrative penalty of $2,150 for these violations.

Waiver

ECIS acknowledges that the Texas Insurance Code and other applicable law provide certain rights. ECIS waives all of these rights, and any other applicable procedural rights, in consideration of the entry of this consent order.

Findings of Fact

1. ECIS, organization identification number 11232, holds a surplus lines license issued by the Texas Department of Insurance.

2. Pursuant to TEX. INS. CODE § 981.105(a), a surplus lines insurance agent must file with the Surplus Lines Stamping Office of Texas either:
   a. a copy of the policy issued, or
   b. if the policy has not yet been issued, a copy of the certificate, cover note, or other confirmation of insurance delivered to the insured.
This information is due not later than the 60th day after the later of the effective date or the issue date of new or renewal surplus lines insurance.

3. In 2020, ECIS filed surplus lines policies late.

**Conclusions of Law**

1. The commissioner of insurance has jurisdiction over this matter pursuant to Tex. Ins. Code §§ 82.051-82.055, 84.021-84.044, and 981.105.


3. ECIS has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.

4. ECIS violated Tex. Ins. Code § 981.105(a) by failing to timely file new or renewal surplus lines policies and related documents.

**Order**

It is ordered that Evolve Cyber Insurance Services LLC must pay an administrative penalty of $2,150. The administrative penalty must be paid within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

---

[Signature]

Cassie Brown
Commissioner of Insurance
Recommended and reviewed by:

Leah Gillum, Deputy Commissioner
Enforcement Division

Patrick Quigley
Patrick Quigley, Attorney
Enforcement Division
Affidavit

THE STATE OF CALIFORNIA

COUNTY OF MARIN

Before me, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

"My name is [NAME]. I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of [OFFICE] and am the authorized representative of Evolve Cyber Insurance Services LLC. I am duly authorized by the organization to execute this statement.

Evolve Cyber Insurance Services LLC has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

[Signature]
Affiant

SWORN TO AND SUBSCRIBED before me on [DATE] 202_.

(NOTARY SEAL)

[California Jurat Attached]

Signature of Notary Public

Printed Name of Notary Public
CALIFORNIA JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF Marin

Subscribed and sworn to (or affirmed) before me on this 31st day of December, 2021

by Daniel Careaher

Name of Signers

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature: Janet B. Panopio

Signature of Notary Public

Seal

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent attachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document:

Document Date:

Number of Pages:

Signer(s) Other Than Named Above: