

Consensual Agreement and Undertaking

**Between
Robert Michael Carducci**

and

**The Complaints and Investigation Committee
of
The Life Insurance Council of Saskatchewan
(The Committee)**

The Committee is authorized under Bylaw 7, Section 5, subsection 3, subparagraph (b), to enter into consensual resolutions of complaints.

The Committee is required under Bylaw 5, Section 1, subsection 1 to record on the register the existence of all disciplinary decisions or orders, court orders of suspension, alternative dispute resolution agreements, undertaking and mediation agreements in accordance with council policy. Disciplinary actions as described above are reported in the Bulletin published by the Insurance Councils of Saskatchewan.

Robert Michael Carducci acknowledges and agrees that:

1. He violated The Life Insurance Council (Council) Bylaws when:
 - a. contrary to Schedule A, Part II, Section 6, subsection (1) he failed to maintain a valid policy of errors and omissions insurance (E&O); and
 - b. contrary to Schedule A, Part II, Section 6, subsection (2) he failed to immediately notify Council of cancellation or non-renewal of his E&O.
2. The breach occurred when he allowed his E&O certificate No. FIT0533777005_34623 to lapse on June 30 2013.
3. Carducci obtained replacement E&O effective July 17 2013 .
4. He was without errors and omissions insurance for approximately 18 days.
5. His rights to appear before a Discipline Committee of Council have been explained to him and he fully understands his rights and/or obligations under Council Bylaw 10;
6. He waives his rights to appear before a Discipline Committee and undertakes not to exercise any appeal rights he may have under Council Bylaw 10, Section 3 or *The Saskatchewan Insurance Act*, (the Act) as it relates to matters set out in this agreement and undertaking.

7. This Agreement does not preclude the Committee from pursuing any other investigation against his for activities not identified in this Agreement that may be in violation of Council Bylaws or the Act.
8. He has been advised by The Committee that it is in his interests to obtain independent legal advice before entering into this consensual agreement and undertaking

Having waived my rights, I, Robert Michael Carducci undertake to:

1. Pay a fine of \$137.00 plus cost of investigation of \$330.00 for a total of \$467.00.

The Committee Agrees to:

1. accept payment of a fine of \$137.00 plus cost of investigation of \$330.00 for a total of \$467.00.
2. take no further action against Robert Michael Carducci for the acknowledged violations of Council's Bylaws or the Act that are set out in this agreement.

Dated at Toronto, in the Province of Ontario, this 4 day of September 2013.

Originally signed by:

Robert Michael Carducci

Dated at Saskatoon, in the Province of Saskatchewan, this 18 day of September 2013.

Originally signed by:

**Ian Colborne, Chairman, Complaints and Investigation Committee
Life Insurance Council of Saskatchewan**
