

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.

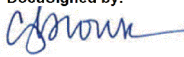
3. In 2020, ECIS filed surplus lines policies late.

**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.
2. The commissioner of insurance has authority to informally dispose of this matter under TEX. INS. CODE § 82.055, TEX. GOV'T CODE § 2001.056, and 28 TEX. ADMIN. CODE § 1.47.
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.

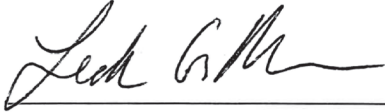
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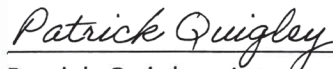
Cassie Brown  
Commissioner of Insurance

Commissioner's Order  
Evolve Cyber Insurance Services LLC  
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Recommended and reviewed by:



\_\_\_\_\_  
Leah Gillum, Deputy Commissioner  
Enforcement Division



\_\_\_\_\_  
Patrick Quigley, Attorney  
Enforcement Division

**Affidavit**

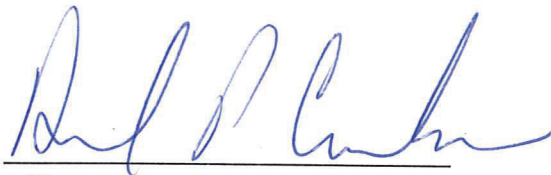
**THE STATE OF CALIFORNIA** §  
§  
**COUNTY OF MARIN** §

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

"My name is DAN CARLATER 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 CFO 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."



Affiant

SWORN TO AND SUBSCRIBED before me on \_\_\_\_\_, 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 }

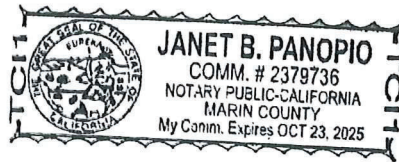
Subscribed and sworn to (or affirmed) before me on this 31<sup>st</sup> day of DECEMBER, 2021  
Date Month Year

by DANIEL CARFAHER

\_\_\_\_\_  
*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: \_\_\_\_\_