

STATE OF NORTH CAROLINA  
COUNTY OF CLEVELAND

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 04 CVS 2254

COMMISSIONER OF INSURANCE OF )  
THE STATE OF NORTH CAROLINA, )  
Plaintiff )  
vs. )  
GOLF MARKETING, L.L.C. )  
d/b/a GOLF MARKETING COMPANY )  
d/b/a GOLF MARKETING, INC. and )  
KEVIN KOLENDA, )  
Defendants )

ORDER GRANTING  
SUMMARY JUDGMENT

This cause was heard by the undersigned judge on motion of Plaintiff for summary judgment. It appears to the Court that there is no genuine issue as to any material fact and that Plaintiff is entitled to a judgment as a matter of law.

The Court finds that Defendants have willfully violated the Cease and Desist Order entered by the Commissioner of Insurance on December 18, 2003.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that summary judgment is granted in favor of Plaintiff against all Defendants as follows:

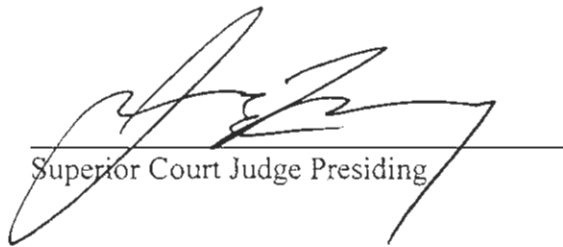
1. Defendants shall fully comply with the Cease and Desist Order entered by the Commissioner of Insurance on December 18, 2003;
2. All Defendants are hereby enjoined from acting as an insurer with respect to subjects of insurance resident, located or to be performed in North Carolina, transacting insurance business in this State, or otherwise violating in any way the insurance laws of North Carolina, except for payment on existing contracts of insurance placed in North Carolina;
3. Defendant Kevin Kolenda is hereby enjoined from representing any insurer that is not authorized to transact insurance in North Carolina;
4. Defendants shall, jointly and severally, pay a penalty of \$5,000.00 to Plaintiff, pursuant to N.C. Gen. Stat. § 58-28-10, to be forwarded to the Wake County Board of Education;

5. Defendants shall, jointly and severally, pay a penalty of \$5,000.00 to Plaintiff, pursuant to N.C. Gen. Stat. § 58-28-10, to be forwarded to the Johnston County Board of Education;

6. Defendants shall not further violate the December 18, 2003, Cease and Desist Order entered by the Commissioner of Insurance and Defendants shall not further violate the insurance laws of North Carolina; and

7. Defendants shall, jointly and severally, pay the costs of this action.

This the 25 day of July 2005.



Superior Court Judge Presiding