

APR 01 2022

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	
VS.)	
)	
MACHIA KIRKENDALL)	CAUSE NO. A-2287
(NAIC Producer #18606451),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Seth J. Felton, and Machia Kirkendall (“Respondent”), by and through her attorney, Cameron E. Guenzel, mutually stipulate and agree as follows:

JURISDICTION

1. Petitioner has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44.101.01, and 44-4047 to 44-4067.
2. Respondent has been licensed as a resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Machia Kirkendall (NAIC National Producer # 18606451), Cause Number A-2287 on January 5, 2022. A copy of the Petition was sent to the Respondent at her registered business address by certified mail, return receipt requested, and by regular U.S. mail. Respondent acknowledges receiving proper Notice of these proceedings.
2. Respondent is alleged to have violated Neb. Rev. Stat. § 44-4059(1)(b) as follows:

- a. On or about August 31, 2021, Petitioner entered an Order in Cause No. A-2266 assessing an administrative penalty of \$2,500.00 against Respondent and provided Respondent with ninety (90) days from the date of the Order to pay said penalty.
- b. Respondent failed to pay the administrative penalty within ninety (90) days, and the penalty remains unpaid as of the date of this consent order.

3. Respondent admits the allegations in Paragraph 2

4. Respondent was informed of her right to a public hearing. Respondent waives that right and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving her right to a public hearing, Respondent also waives her right to confrontation of witnesses, production of evidence, and judicial review.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. § 44-4059(1) (b), and Respondent is subject to disciplinary action pursuant to Neb. Rev. Stat. § 44-4059.

CONSENT ORDER

It is therefore Ordered by the Director of Insurance and agreed by Respondent that:

1. Respondent agrees to the revocation of her Nebraska resident insurance producer's license, with said revocation to be effective on the date this Consent Order is adopted and approved by the Director of Insurance.
2. Petitioner agrees to waive the administrative penalty imposed upon Respondent in Cause No. A-2266; in consideration for Petitioner waiving the penalty, Respondent acknowledges and agrees that she will be forever barred from reapplying for or being

CERTIFICATE OF SERVICE

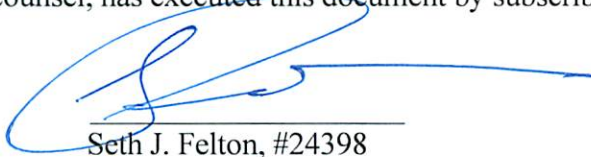
I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to her attorney of record, Cameron E. Guenzel, via email to cguenzel@johnsonflodman.com, on this 1st day of April, 2022.



Seth J. Felton

granted an insurance producer, insurance consultant, or public adjuster license in the State of Nebraska.

In witness of their intention to be bound by this Consent Order, each party, by and through counsel, has executed this document by subscribing their signatures below.



Seth J. Felton, #24398
Attorney for Petitioner
1526 K Street, Suite 200
Lincoln, NE 68509
(402) 471-4650

3-31-22

Date



Cameron E. Guenzel, #24405
Attorney for Respondent
1227 Lincoln Mall
Lincoln, NE 68508
(402) 475-4240

March 31, 2022

Date

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Machia Kirkendall (NAIC National Producer #18606451), Cause No. A-2287.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Eric Dunning
Director of Insurance

4/1/22
Date