

NOV 05 2014

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	CAUSE NO. C-2106
VS.)	
)	
THE PRUDENTIAL INSURANCE)	
COMPANY OF AMERICA (NAIC #68241),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Matthew W. Holman, and The Prudential Insurance Company of America (“Respondent”), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44-101.01, 44-135, and 44-303 et seq. Said jurisdiction and control have been present at all times material hereto.

2. Respondent is a New Jersey domiciled insurance company licensed to engage in the business of insurance in the State of Nebraska.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. The Prudential Insurance Company of America, Cause Number C-2106 on September 24, 2014. A copy of the petition was served upon Respondent and the Respondent’s agent for service of process, CT Corporation System, 6003 Old Cheney Road, Suite 300, Lincoln, NE 68516.

2. Respondent allegedly violated Neb. Rev. Stat. §§ 44-1539(1), (3), and (13), and 210 Neb. Admin. Code § 61-006.03, as a result of inaccurate and untimely information on claim appeal procedures for long term disability benefits being provided to an insured.

3. Respondent was informed of its 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 the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent does not contest the allegations outlined in the petition filed September 24, 2014.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. § 44-1539(1) and 210 Neb. Admin. Code § 61-006.03 and is subject to disciplinary action pursuant to Neb. Rev. Stat. § 44-1542.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, The Prudential Insurance Company of America, that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1,000.00) due within 30 days after the Director of Insurance or his designee approves and signs this consent order.

The Department of Insurance will continue to retain jurisdiction over this matter. If Respondent fails to pay the amount required as specified under this consent order, additional administrative action shall be taken by the Petitioner, which may include revocation of Respondent's Nebraska certificate of authority. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his/her signature below.

Matthew W. Holman

Matthew W. Holman, #24410
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

The Prudential Insurance Company of America
Respondent

By: [Signature]

11/5/2014
Date

10/27/2014
Date

State of New Jersey)
County of MORRIS) ss.

On this 27 day of October 2014, an authorized representative of The Prudential Insurance Company of America personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his/her voluntary act and deed.



Valerie J. Ayers
Notary Public

VALERIE J. AYERS
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES
OCTOBER 11, 2015

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. The Prudential Insurance Company of America (NAIC #68241), Cause No. C-2106.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE
Bruce R. Ramage
Bruce Ramage
Director of Insurance

11-5-2014
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at its registered business address, 100 Mulberry Street, Gateway 3, 7th Floor, Newark, NJ 07102-4061, by certified mail, return receipt requested on this 6 day of November, 2014.

Brandis J. Course