

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

JAN 17 2025

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	
PETITIONER,)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
)	RECOMMENDED ORDER AND
)	ORDER
VS.)	
)	CAUSE NO. A-2421
)	
JOHN LEWIS CHARLES SAVAGE,)	
(NAIC Producer #18431474))	
)	
)	
)	
RESPONDENT.)	

This matter came on for hearing on January 7, 2025, before Michael W. Anderson, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its counsel, Cheryl Wolff. John Lewis Charles Savage ("Respondent") was not present and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department presented evidence at the hearing and the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order:

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing Insurance Producers.
2. Respondent currently holds a resident insurance producer's license in the State of Nebraska. Respondent's registered residence, business and mailing address with the Nebraska Department of Insurance is 7201 RANCH RD 2222 APT 2313, AUSTIN, Texas 78730-3222. Respondents registered business email address on file with

the Department is jsav.seniorinsurance@gmail.com, his registered personal email address is jlc.savage94@gmail.com, and his registered residential email address is licensing@openmarketquotes.com. (See Ex. 1, Attachment 1)

3. On September 24, 2024, the Petitioner received a notice from Humana Insurance Company ("Humana") that the Respondent was terminated for cause effective September 18, 2024. (See Ex. 2, Attachment 1)

4. On September 26, 2024, the Petitioner contacted Humana requesting additional information regarding the termination. (See Ex. 2, Attachment 2)

5. On October 15, 2024, the Petitioner receive a response which contained documents from Humana regarding Respondent's termination for cause for engaging in fraudulent or dishonest acts or practices in the sale of insurance in other states. (See Ex. 2, Attachment 3)

6. On October 15, 2024, the Petitioner sent a written inquiry by certified mail to the Respondent's registered business, mailing, and residential address requesting the Respondent respond to the allegations made by Humana. (See Ex. 2, Attachment 4)

7. The Respondent failed to respond to the written inquiry from the Petitioner and failed to contact the Department to request additional time to respond within 15 working days. (See Ex. 2)

8. On November 1, 2024, the certified letter receipt was returned to the Department, marked "RETURN TO SENDER, NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD". (See Ex. 2, Attachment 5)

9. As of the date of the Petition, no response had been received from the Respondent. (See Ex. 2)

CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 et seq.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059(1)(b), the Director may levy an administrative fine against, or suspend or revoke the license of an insurance producer's license if it is found that the producer has "[violated] any insurance law or violating any rule, regulation, subpoena, or order of the director or of another state's insurance commissioner or director".

4. Pursuant to Neb. Rev. Stat. § 44-4059(1)(g), the Director may levy an administrative fine against, or suspend or revoke the license of an insurance producer's license if it is found that the producer has admitted or been found to have committed any insurance unfair trade practice, any unfair claims settlement practice, or fraud.

5. Pursuant to Neb. Rev. Stat. § 44-4059(1)(h), the Director may levy an administrative fine against, or suspend or revoke the license of an insurance producer's license if it is found that the producer has "[used] fraudulent, coercive, or dishonest practices, or [demonstrated] incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere".

6. Pursuant to Neb. Rev. Stat. § 44-1525(11), it shall be unfair trade practice in the business of insurance or any insurer if they demonstrate the "[f]ailing of any insurer, upon receipt of a written inquiry from the department, to respond to such inquiry or request additional reasonable time to respond within fifteen working days."

7. Respondent violated Neb. Rev. Stat. § 44-4059(1)(g) as a result of the conduct found in paragraphs 1-5 in the Findings of Fact and as evidenced by the relevant exhibits received.

8. Respondent violated Neb. Rev. Stat. § 44-1525(11) as a result of the conduct found in paragraphs 1-9 in the Findings of Fact and as evidenced by the relevant exhibits received.

DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's registered address. The Department also attempted service via electronic means to Respondent's registered email addresses. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at the registered address was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent, having received an inquiry from the Department, and then failed to respond to those inquiries.

These actions constitute a violation of Neb. Rev. Stat. § 44-4059(1)(b), (g), and (h).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's resident producer's license be suspended, that Respondent be assessed an

administrative penalty of \$500, and that such suspension will be lifted only upon payment of the administrative fine and submission of an adequate response to the Department's inquiries. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 16th day of January, 2025.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



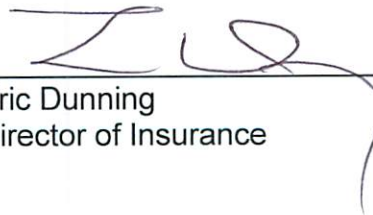
Michael W. Anderson
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. John Lewis Charles Savage (NAIC Producer #18431474), Cause No. A-2421.

Dated this 17th day of January, 2025.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Eric Dunning
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered address, 7201 RANCH RD 2222 APT 2313, AUSTIN, Texas 78730-3222, via certified mail, return receipt requested and via regular U.S. mail on this 10th day of January, 2025.

Shelly Storie