

APR 16 2025

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	
	)	FINDINGS OF FACT,
PETITIONER,	)	CONCLUSIONS OF LAW,
	)	RECOMMENDED ORDER AND
	)	ORDER
VS.	)	
	)	CAUSE NO. A-2427
MICHAEL A. LAPON,	)	
(NAIC Producer #16501071)	)	
	)	
	)	
	)	
RESPONDENT.	)	

This matter came on for hearing on April 8, 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, Megan VanAusdall. Michael Lapon ("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 non-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 5233 Cleveland Rd, Delray Beach, Florida 33484. (See Ex. 1, Attachment 1)

3. On July 1, 2024, Petitioner's Office, received a termination for cause notice concerning the Respondent from Golden Rule Insurance Company and United Healthcare Life Insurance Company. (See Ex. 2, Attachment 1)

4. On July 16, 2024, Petitioner's Office attempted to contact Respondent by email and mail for a response to the allegations and termination. (See Ex. 2, Attachment 3)

5. On July 19, 2024, Respondent replied via email, stating that he was currently seeking legal counsel, and that he expected his attorney would follow up "next week". (See Ex. 2, Attachment 4)

6. On August 27, 2024, Petitioner's Office sent another letter to Respondent, reiterating a request for statement. (See Ex. 2, Attachment 5)

7. On September 4, 2024, a certified letter was sent to the address on file for the Respondent, again reiterating a request for statement. (See Ex. 2, Attachment 6)

8. On October 25, 2024, the September 4 letter was returned Petitioner's Office as "Return to Sender – Unclaimed – Unable to Forward". (See Ex. 2, Attachment 6)

9. As of April 1, 2025, Respondent has not requested any additional time to respond, nor has Respondent provided a response to the inquiries. (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), 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.

4. Respondent violated Neb. Rev. Stat. § 44-4059(1)(g) 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 address. 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, then failed to respond to those inquiries.

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

### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent be assessed an administrative penalty of \$500, and that such penalty shall be paid by the Respondent within 60 days of the adoption of this order. Should Respondent fail

to pay the administrative penalty in that time, Respondent's insurance producer's license shall be suspended, until such a time as the fine is paid and Respondent provides a complete 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 16<sup>th</sup> day of April, 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



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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. Michael Lapon (NAIC Producer #16501071), Cause No. A-2427.

Dated this 16<sup>th</sup> day of April, 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



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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, 5233 Cleveland Rd, Delray Beach, Florida 33484, via certified mail, return receipt requested and via regular U.S. mail on this 16<sup>th</sup> day of April, 2025.

Shelly Storie