

MAY 8 2025

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKASTATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

SERGIO BOOKER
(NAIC Producer #17711445),

RESPONDENT.

FINDINGS OF FACT, CONCLUSIONS
OF LAW, RECOMMENDED ORDER
AND ORDER

CAUSE NO. A-2417

This matter came up for hearing on April 29, 2025, before Michael 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. Sergio Booker, ("Respondent") did not appear and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department offered Exhibit 1 at the hearing, which was received without objection. The Respondent did not offer any exhibits. After the conclusion of evidence, 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 is a licensed non-resident insurance producer. Respondent's business, residential, and mailing address on file with the Department is 6603 English Hills Dr. Apt. 2A,

Charlotte, North Carolina 28212-7937, and Respondent's registered email address on file with the Department is sergiobooker16@gmail.com. (Ex. 1, Attachment 1).

3. Respondent applied for and was granted a non-resident producer license in Nebraska, with an effective date of December 1, 2022, and an expiration date of November 30, 2024. On May 14, 2024, via email, to Kevin Schlautman, the Department's Licensing administrator received an NAIC alert indicating that Respondent's resident license in North Carolina had been revoked by the North Carolina Insurance Commissioner. (Ex. 1, Attachments 1 and 2).

4. Upon further review of the RIRS database, Mr. Schlautman, using Respondent's name as a search term, found an administrative action naming Respondent as a party, from Indiana's Department of Insurance. The grounds for Indiana's administrative order follow:

- a. On or about March 25, 2024, Respondent's home license in North Carolina was suspended due to violation of N.C.G.S. § 110-142.1 due to non-compliance with a child support order. (Ex. 1, Attachment 3)

5. On or about January 27, 2025, the Petition and Notice of Hearing were served upon Respondent by mailing the same to his registered business, mailing and residential addresses, by certified mail, return receipt requested, and via sending the same as an attachment to an email message, addressed to Respondent's registered email address. On February 14, 2025, the Department, received the Domestic Return Receipt Card from U.S. Postal Service for the letter sent certified mail to Respondent's registered address, confirming delivery. (Ex. 2, Attachment 1)

6. On or about March 4, 2025, an Amended Petition and Notice of Hearing, along with a motion and order granting continuance were served upon Respondent by mailing the same to his registered business, mailing and residential addresses, by certified mail, return receipt requested, and via sending the same as an attachment to an email message, addressed to Respondent's registered

email address. On April 15, 2025, the Department received the March 4, 2025 mailing back to Petitioner's Office, which was returned by USPS as "RETURN TO SENDER, UNCLAIMED, UNABLE TO FORWARD. (Ex. 2, Attachment 2)

7. Respondent failed to notify the Nebraska Department of Insurance of the actions taken against his licenses in the states of North Carolina and Indiana within 30 days. (Ex. 1)

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 to 40-4069.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. §§44-4059(1), the director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine if it is found that the producer has violated any insurance law.

4. Respondent violated Neb. Rev. Stat. § 44-4059(1)(i) as a result of the conduct found 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 addresses. The Department also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirmation of delivery to the Respondent. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at his business,

residential, and mailing addresses of record were sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent failed to notify the Nebraska Department of Insurance of the actions taken against his licenses in North Carolina and Indiana within the timeframe required by Neb. Rev. Stat. §44-4065(1).

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

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's Nebraska insurance producer license be revoked. 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 further orders as may be necessary.

Dated this 8th day of May 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. Sergio Booker (NAIC Producer #17711445), Cause No. A-2417.

Dated this 8th day of May, 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 business, mailing, and residential address, 6603 English Hills Dr. Apt. 2A, Charlotte, North Carolina 28212-7937, via certified mail, return receipt requested and via regular U.S. mail, as well as sending via sending the same as an attachment to an email message, addressed to Respondent's registered email address, sergiobooker16@gmail.com, on this 8th day of May 2025.



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