

OCT 17 2018

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

| | | |
|-----------------------------------|---|------------------|
| STATE OF NEBRASKA |) | |
| DEPARTMENT OF INSURANCE, |) | |
| |) | CONSENT ORDER |
| PETITIONER, |) | |
| |) | |
| VS. |) | CAUSE NO. A-2149 |
| |) | |
| JOSEPH B. SMITH |) | |
| (NAIC National Producer #9127717) |) | |
| |) | |
| RESPONDENT. |) | |

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Tracy A. Burns, and Joseph B. Smith (“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 and 44-4047 et seq. (Reissue 2010).
2. Respondent was a licensed non-resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition captioned State of Nebraska Department of Insurance vs. Joseph B. Smith (NAIC National Producer #9127717), Cause No. A-2149, on October 2, 2018.
2. The Department served a copy of the Petition and Notice of Hearing upon the Respondent at Respondent’s registered business address at 1855 Telstar Dr., Colorado Springs, CO 80920 by regular U.S. mail and to Respondent’s registered residence address at 1207 Aspen Ave, Colorado Springs, CO 80905 by certified mail, return receipt requested and regular U.S. mail.

3. Respondent is alleged to have violated Neb. Rev. Stat. § 44-4059(1)(o) as follows:

a. Respondent's resident insurance producer license was cancelled on April 12, 2018 in Respondent's home state of Colorado.

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

5. Respondent admits to the allegations alleged in paragraph 3.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. § 44-4059(1)(o).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by the Respondent, Joseph B. Smith, that Respondent's Nebraska non-resident insurance producer license #9127717 shall be surrendered. In witness of their intention to be bound by this Consent Order, the parties have executed this document by subscribing their signatures below.



Tracy A. Burns
Attorney for Petitioner
1135 M Street, Suite 300
Lincoln, NE 68508
402-471-4742

Oct. 16, 2018
Date

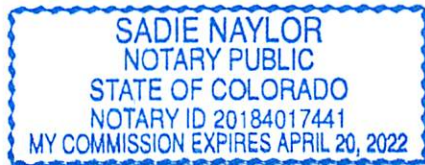


Joseph B. Smith
Respondent

10/09/18
Date

STATE OF COLORADO)
) ss.
COUNTY OF El Paso)

On this 9th day of October, 2018, Joseph B. Smith personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.



Sadie Naylor
Notary Public

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 the State of Nebraska Department of Insurance vs. Joseph B. Smith, NAIC National Producer Number #9127717, Cause No. A-2149.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
BRUCE R. RAMGE
Director of Insurance

10-17-2018
Date

CERTIFICATE OF SERVICE

I hereby certify that fully executed copies of this Consent Order were served upon Respondent as follows:

Via Regular and Certified Mail
Joseph B. Smith
1207 Aspen Ave
Colorado Springs, CO 80905

On this 17 day of October, 2018.

Brandis Bauer

Handwritten text, possibly a date or name, mostly illegible.

SAIDIE MAYLON
NOTARY PUBLIC
STATE OF COLORADO
EXPIRES 06/30/2019

RECEIVED

OCT 16 2018

NEBRASKA DEPARTMENT
OF REVENUE