

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

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NEBRASKA DEPARTMENT
OF INSURANCE

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OF INSURANCE

NOV 17 2021

FILED

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
Petitioner,)
)
VS.)
)
STEVEN CASTO)
(NAIC Producer #2218390),)
)
Respondent.)

CONSENT ORDER

CAUSE NO. A-2255

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Michael W. Anderson, and Steven Casto (“Respondent”), by and through his attorney, Michael Degan, mutually stipulate and agree as follows:

JURISDICTION

1. Petitioner has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44.101.01, and 44-4047 to 44-4067.
2. Respondent has been licensed as a resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

3. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Steven Casto (NAIC National Producer #2218390), Cause Number A-2255 on March 19, 2021. A copy of the Petition was sent to the Respondent at his registered address by certified mail, return receipt requested, and by regular U.S. mail. Respondent acknowledges receiving proper Notice of these proceedings.

4. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1) (b, e, g, and h), 44-1524 (1), 44-1525 (10), 44-8107 (2), and 44-8106 (1) as follows:

- a. On September 4, 2020, Petitioner's office received a referral concerning the Respondent and an allegation of churning annuities of one consumer.
- b. In review of the referral, it was discovered that Respondent, between 2014 and 2019, purchased 8 different annuity contracts on behalf of the consumer and advised her to surrender 4 of those annuities, causing her to be required to pay surrender fees, and causing Respondent to obtain commissions from the annuities.
- c. In reviewing of the applications for these annuities, it was found that Respondent failed to accurately list policies as replacements and failed to accurately list the consumers existing annuities.

5. 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.

6. Without admitting any wrongdoing or fault, Respondent agrees to pay an administrative penalty in the amount of Five Thousand Dollars (\$5,000) in order to fully resolve this matter and avoid further litigation.

7. This Consent Order fully and finally resolves all issues and allegations raised by the Department in this matter.

8. Petitioner agrees to dismiss this matter with prejudice upon the payment of the administrative penalty described herein.

9. The Parties each stipulate and agree that neither this Consent Decree nor the stipulations set forth herein shall be admissible in any proceeding in this matter if the Consent Decree is not adopted by the Director for any reason.

CONCLUSIONS OF LAW

10. Petitioner has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44.101.01, and 44-4047 to 44-4067.

11. After a careful examination of the Petition and the Consent Order, including the stipulations set forth above, the Director finds the terms of this Consent Order adequate, fair, reasonable, equitable, and just and serve the interests of the Department to efficiently resolve this matter.

CONSENT ORDER

It is therefore Ordered by the Director of Insurance and agreed by Respondent that:

1. Respondent agrees to pay an administrative penalty of Five Thousand Dollars (\$5,000).
2. 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 should Respondent fail to pay the aforementioned penalty.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



Michael W. Anderson, #25671
Attorney for Petitioner
1526 K Street, Suite 200
Lincoln NE 68501
(402) 471-2201

11/17/21
Date

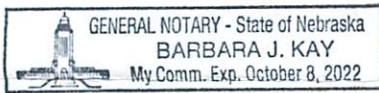


Steven Casto
Respondent

11/18/21
Date

STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On this 8th day of November, 2021, Steven Casto personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.



Barbara J. Kay
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 State of Nebraska Department of Insurance vs. Steven Casto (NAIC National Producer #2218390), Cause No. A-2255.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

A handwritten signature in blue ink, appearing to read "Eric Dunning".

Eric Dunning
Director of Insurance

11/17/21
Date