

1. The Department's licensing records shows that the Respondent's non-resident license in Nebraska expired on October 31, 2023. (Ex. 2, Attachment 1).

2. On or about July 21, 2023, the Department of Insurance received a notice, dated July 20, 2023, from United Healthcare ("UHC") indicating the employment of producer Javon Dawson had been terminated for cause effective July 18, 2023. (Ex. 1, Attachment 1).

3. On or about September 7, 2023 the Department of Insurance received a notice from Aetna Insurance Company ("Aetna") indicating the employment of producer Javon Dawson had been terminated for cause for several reasons including fraudulently enrolling members without their consent. (Ex. 1, Attachment 5).

4. Nebraska Department of Insurance Examiner John Marinovich sent several requests to the Respondent, requesting a response to the Nebraska Department of Insurance. The requests sent to the Respondent are as follows:

- a. On August 15, 2023, an email was sent to Respondent at his email on file with the Department, javondawson58@gmail.com, requesting that Respondent provide a response to the termination from UHC. (Ex. 1, Attachment 2).
- b. On August 21, 2023, Respondent replied via email with an incomplete response that failed to answer any questions asked by the Department, but stated "I will notify you when I receive an update from the company." (Ex. 1, Attachment 3).
- c. On September 7, 2023, an email was sent to the same email address requesting the Respondent advise the Department of the present status of the matter and again requesting a response to the questions asked in the original correspondence. (Ex. 1, Attachment 4).

- d. On September 20, 2023, an email was sent to email address on file requesting the Respondent respond to both the allegations from UHC and Aetna within 15 days of the written inquiry. (Ex. 1, Attachment 6).
 - e. On October 10, 2023, sent another email to the email address on file requesting a response to the allegations from Aetna in the notice of termination and renewing the request for response in the allegations from UHC. (Ex. 1, Attachment 7).
5. The Respondent has not provided a response to the September 7, September 20, or October 10 written inquiries of the Department. (Ex. 1).
6. A search of the Regulatory Information Retrieval System (RIRS) by the Petitioner shows the following:
- a. The Respondent's non-resident insurance license in the State of Indiana was suspended effective May 30, 2023, after a complaint investigation for demonstrated lack of fitness or trustworthiness. (Ex. 2, Attachment 2).
 - b. The Respondent's non-resident insurance license in the State of Connecticut was revoked effective December 5, 2023, for failure to respond to the Connecticut Department of Insurance failure to report administrative actions in other states. (Ex. 2, Attachment 2).
 - c. The Respondent voluntarily surrendered his non-resident insurance license in the State of North Carolina after investigation for misrepresentation of insurance policy/product and demonstrated lack of fitness or trustworthiness effective September 22, 2023. (Ex. 2, Attachment 2).

d. The Respondent's non-resident insurance license in the State of Utah was revoked effective December 19, 2023, for failure to respond and failure to report administrative actions in other states. (Ex. 2, Attachment 2).

7. As of January 9, 2024, the Respondent had not reported any of these administrative actions to the Department. (Ex. 2).

8. On or about November 15, 2023, the Petition and Notice of Hearing were served upon Respondent by mailing the same to his registered address, by certified mail, return receipt requested, and via regular mail. (Ex. 3).

9. On or about December 26, 2023, the Domestic Return Receipt Card for the letter sent certified mail to his registered address was returned by the U.S. Postal Service marked "RETURNED TO SENDER, UNCLAIMED, UNABLE TO FORWARD". As of January 8, 2024, the letter sent US mail has not been returned to the Department. (Ex. 3, and Ex. 3, Attachment 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, provides that the Director may refuse to issue or renew an insurance producer's license for several reasons including: (g) Having admitted or been found to have committed any insurance unfair trade practice, any unfair claims settlement practice, or fraud; ... (i) Having an insurance producer license, or its equivalent, denied, suspended, placed on probation, or revoked in Nebraska or in any other state, province, district, or territory.

4. Neb. Rev. Stat. § 44-4065 states (1) An insurance producer shall report to the director any administrative action taken against the producer in another jurisdiction, by a professional self-regulatory organization such as the Financial Industry Regulatory Authority or a similar organization, or by another governmental agency within thirty days of the final disposition of the matter. This report shall include a copy of the order, consent to order, or other relevant legal documents.

5. Neb. Rev. Stat. § 44-1525 unfair trade practices in the business of insurance for (11) Failing 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;

6. Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(g) and (i); 44-4065(1), and 44-1525(11) as a result of the conduct found in paragraphs 2 through 7 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. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at his address of record was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent failed to respond to multiple written inquiries from the Nebraska Department of Insurance to investigate the terminations for cause from two different insurance companies, one alleging the fraudulent enrollment of individuals into an insurance plan. The failure to provide a complete or timely response is significant given the serious allegations contained in the notices of termination. The Respondent provided an incomplete response

with a promise to provide updates to the Department and then subsequently refused to communicate with or respond to the Department despite receiving three additional written inquiries. The Respondent also failed to report administrative actions, namely suspensions and revocations in multiple other states to the Department within 30 days. At least two of the administrative actions included failure to respond as the reason for the revocation. This failure to respond and report is a pattern of behavior by the Respondent that indicates a repeated practice to engage in that type of conduct.

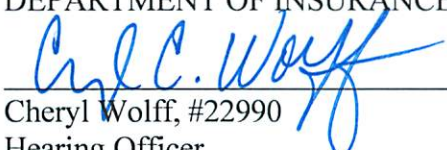
These actions constitute a violation of Neb. Rev. Stat. § 44-4059(1)(g) and (i); 44-4065(1), and 44-1525(11).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident insurance producer's 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 orders as may be necessary.

Dated this 8th day of February, 2024.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE


Cheryl Wolff, #22990
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. Javon Dawson. (NAIC Producer #18810879), Cause No. A-2343.

Dated this 8th day of February, 2024.

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, 25144 Inkster Road, Southfield, Michigan 48033, via certified mail, return receipt requested and via regular U.S. mail on this 8th day of February, 2024.



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