

FEB 6 2024

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
	)	
PETITIONER,	)	
	)	
VS.	)	
	)	
Orlando G. Martinez	)	CAUSE NO. A-2345
(NAIC Producer #19545462),	)	
RESPONDENT.	)	
	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Megan VanAusdall, and Orlando G. Martinez (“Respondent”), 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 non-resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Orlando G. Martinez (NAIC National Producer #19545462), Cause Number A-2345, on November 21, 2023, then an Amended Petition, filed December 13, 2023. A copy of both the original and Amended Petition were 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.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1) (h) & (j), 44-1524 (1) and 44-1525(10), as follows:

- a. On July 20, 2023, John Hancock Insurance Company (hereafter, “John Hancock”) notified Petitioner’s Office that Respondent’s employment with their company had been terminated for cause, effective July 17, 2023, upon John Hancock identifying ‘red flags’ while reviewing Respondent’s book of business, which triggered an internal investigation. John Hancock subsequently sent the Petitioner’s office further information concerning the circumstances of Respondent’s termination of employment, including their investigative report.
- b. John Hancock’s Investigative Services Case Report stated that on April 20, 2023, an insured (Complainant 1) called John Hancock regarding two insurance policies taken out in Complainant 1’s name, but without Complainant 1’s knowledge or consent. Pursuant to Complainant 1’s call, Respondent’s book of business was recommended to John Hancock’s anti-fraud division for review. Their review of Respondent’s book of business from the time period January 24, 2022, to January 10, 2023, showed that a total of three insurance policies were issued under the names of two unconnected individuals, as follows:
  - i. Two term life insurance policies, numbered 077178862 and 077178865 respectively, were issued by Respondent in his capacity as an insurance producer on January 10, 2023, naming Complainant 1 (referenced above) as the policyholder. Complainant 1 stated during their April 20, 2023, telephone call to John Hancock that Complainant 1 had not

authorized the issuance of either of these term life insurance policies, nor did Complainant 1 know Respondent.

- ii. The third term life insurance policy, numbered 077158898, was identified as a risk upon review because the bank account used as a method of payment for policy issuance did not have a person named as the account-owner. When the policyholder ("Complainant 2") was identified from the policy number and contacted, Complainant 2 stated that while Complainant 2 had known Respondent, and agreed to purchase an insurance policy from Respondent, Complainant 2 had believed that the insurance policy purchased was issued by American Life, not John Hancock. Complainant 2 also stated they had actually requested a term life insurance policy with a face value of \$250,000.00 and did not apply for or request a term life insurance policy with the face value of \$325,000.00. Finally, the bank account used as a method of payment on the fraudulently-issued John Hancock term life policy was an inactive bank account in Complainant 2's name, which Complainant 2 stated he no longer used.

3. Respondent admits the allegations in Paragraph 2.

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.



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. Orlando G. Martinez (NAIC National Producer #19545462), Cause No. A-2345.

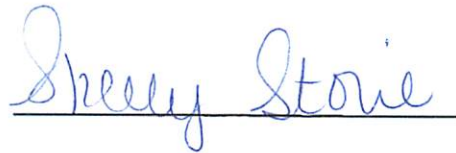
STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
Eric Dunning  
Director of Insurance

2/6/24  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to his registered residential and mailing address, 2470 Kummer Drive, Columbus, NE 68601, by certified mail, return receipt requested, by regular U.S. mail, on this 6<sup>th</sup> day of February, 2024.

  
Sherry Storie