BEFORE THE DEPARTMENT OF INSURANCE STATE OF NEBRASKA

JUL 1 6 2021

STATE OF NEBRASKA DEPARTMENT OF INSURANCE,)		TILED
PETITIONER,)		
VS.)	CONSENT ORDER	
NORA ZIMMERMAN (NAIC Producer #3189296),) CAUSE NO. A-2263)		
RESPONDENT.)		

In order to resolve this matter, the Nebraska Department of Insurance ("Petitioner"), by and through its attorney, Michael W. Anderson, and Nora Zimmerman ("Respondent"), by and through her attorney, Renee A. Eveland, 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

- 1. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Nora Zimmerman (NAIC National Producer #3189296), Cause Number A-2263 on June 3, 2021. A copy of the Petition was sent to the Respondent at her 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), as follows:

- a. On December 4, 2020, Petitioner's office received a termination for cause concerning the Respondent from Markel Insurance Company ("Markel").
- b. Markel provided an investigative report and supporting documentation detailing that the Respondent was suspected of issuing numerous false certificates of liability which showed Armstrong Rentals as an additional insured on the workers' compensation policy for Beatrice Lawn Care during the 2018-2019 policy period. Markel also included an email response from the Respondent in which she states that not informing Markel about Armstrong Rentals being an additional insured was "an oversight".
- c. Respondent, through an attorney, provided a response to the Petitioner's Office, including a signed affidavit which stated that Respondent made use of a professional agency management software system called NASA Eclipse. Respondent stated that this system used templates for certificates, and that the system inadvertently and mistakenly included Armstrong Rentals as an additional insured on Beatrice Lawn Care's certificates of liability for workers' compensation insurance.
- d. Respondent's affidavit also states that "certificates issued between 2015 and 2019 erroneously show Armstrong Rentals, LLC, as an additional insured for workers' compensation coverage when it was not".
- 3. Respondent has admitted in an affidavit that she mistakenly submitted incorrect or erroneous certificates of liability that listed Armstrong Rentals, LLC as an additional insured for workers' compensation coverage when it was not, in fact, an additional insured for those purposes, and further agrees that this constitutes a violation of Neb. Rev. Stat. § 44-4059(1) (h).
- 4. Respondent has not been charged with and does not admit that she used fraudulent, coercive or dishonest practices, but has committed errors and mistakes that otherwise qualify for

discipline pursuant to Neb. Rev. Stat. § 44-4059(1) (h), which she accepts by entering this Consent Order freely and voluntarily.

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

CONCLUSIONS OF LAW

Respondent's conduct as admitted above constitutes violations of <u>Neb. Rev. Stat.</u> §§ 44-4059(1) (h), and Respondent is subject to disciplinary action pursuant to <u>Neb. Rev. Stat.</u> §44-4059.

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 \$1,000 (One Thousand Dollars).

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

7/2/21

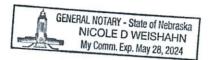
Date

Nora Zimmerman Respondent

100

6130/2021 Date

State of Nebraska) ss County of Gage) On this day of the day



Notary Public Duelshahn

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. Nora Zimmerman (NAIC National Producer #3189296), Cause No. A-2263.

STATE OF NERBRASKA DEPARTMENT OF INSURANCE

Eric Dunning

Director of Insurance

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to her mailing address at 2301 N 6th Street, Beatrice, Nebraska, 68310, by certified mail, return receipt requested, by regular U.S. mail, and via email to her attorney, Renee A. Eveland at REveland@clinewilliams.com, on this to day of July, 2021.

Shelly Stonie

GEWERAL MOTARY - State of Mebraskin NICOLE D WEISHAHN My Comm. Exp. May 28, 2024

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