

FEB 14 2012

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	
VS.)	CAUSE NO. A-1931
)	
CAREER ACHIEVEMENT, and)	
RICHARD A. PETERS (NAIC National)	
Producer #225225),)	
)	
RESPONDENTS.)	

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondents pursuant to Neb. Rev. Stat. §§ 44-101.01, 44-3901 et seq., and 44-4047 et seq. (Reissue 2010).
2. Respondents were licensed as an approved insurance education course sponsor and 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 styled State of Nebraska Department of Insurance vs. Career Achievement and Richard A. Peters (NAIC National Producer #225225), Cause Number A-1931 on November 3, 2011.
2. A copy of the petition was served upon the Respondents at the Respondents' addresses registered with the Department by certified mail, return receipt requested, and by regular U.S. mail.
3. Respondent Peters is alleged to have violated Neb. Rev. Stat. §§ 44-1525(2), and 44-4059(1)(b), as a result of the following conduct:
 - a. On or around late 2007, Respondent Peters began utilizing business cards representing himself as a part of "Peters Insurance Agency."

- b. "Peters Insurance Agency" is not, and has never been, a licensed insurance agency in the State of Nebraska.

4. Respondent Peters is alleged to have violated Neb. Rev. Stat. § 44-4059(1)(h) and Respondent Career Achievement is alleged to have violated 210 Neb. Admin. R. & Regs. 38-009.03 as a result of the following conduct:

- a. On or about May 27, 2007, a consent order between Respondent Peters and Petitioner was filed which resulted in the revocation of the following lines of authority from Respondent Peters' insurance producer license: Assessment Association, Motor Club, Prepaid Legal, and Property and Casualty.
- b. On or about June 21, 2007, a consent order between Respondent Peters and the Arizona Department of Insurance was filed which resulted in the revocation of Respondent Peters' Arizona insurance license.
- c. On or about October 15, 2007, the South Dakota Department of Revenue and Regulation issued an order revoking Respondent Peters' property & casualty lines of authority from his South Dakota nonresident insurance license.
- d. On or about October 22, 2007, a consent order between Respondent Peters and the Kansas Insurance Department was filed which resulted in the voluntary surrender of Respondent Peters' Property and Casualty Qualified Lines of Authority for the State of Kansas.
- e. On or about May 21, 2008 the Ohio Department of Insurance issued an order revoking Respondent Peters' license as an insurance agent.
- f. Despite the license revocations, Respondent Career Achievement has continued to utilize Respondent Peters as a continuing education instructor for multiple classes.

5. Respondents were informed of their right to a public hearing. Respondents waive that right, and enter into this Consent Order freely and voluntarily. Respondents understand and acknowledge that by waiving their right to a public hearing, Respondents also waive their right to confrontation of witnesses, production of evidence, and judicial review.

6. Respondents neither admit nor deny the allegations stated in Paragraphs 3 and 4.

CONCLUSIONS OF LAW

Respondents' conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-1525 (2), 44-4059 (1)(b), and 210 Neb. Admin. R. & Regs. 38-009.03.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondents, Career Achievement and Richard A. Peters, that:

1. Respondents shall pay an administrative fine in the amount of one thousand dollars (\$1,000) due within 60 days after the Director of Insurance or his designee approves and signs this consent order. If Respondents fail to pay the amount required under this consent order, within the time specified, their insurance producer license and approved insurance education course sponsor status shall automatically be revoked.

2. Respondent Richard A. Peters shall, within 30 days after the Director of Insurance or his designee approves and signs this consent order, cease acting as an insurance education instructor in the State of Nebraska for courses approved by the Nebraska Department of Insurance pursuant to Neb. Rev. Stat. §§ 44-3905 and 44-3913. This will not prohibit Respondent Richard A. Peters from acting as manager, owner, or operator of Career Achievement or conducting review courses not requiring approval by the Nebraska Department of Insurance pursuant to Neb. Rev. Stat. §§ 44-3905 and 44-3913.

3. Respondent Richard A. Peters shall immediately stop using or otherwise distributing any business card or other marketing material utilizing the name "Peters Insurance Agency," or the name of any other unlicensed entity until such time as said agency is properly licensed by the Nebraska Department of Insurance.

Richard A. Peters

Richard A. Peters,
Respondent

2/10/2012
Date

State of Nebraska)
) ss.
County of Lancaster)

On this 10th day of February, 2012, Richard A. Peters personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Shelly M. DeBuhr
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 v. Career Achievement, and Richard A. Peters (NAIC National Producer #225225), Cause Number A-1931.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Range
Bruce Range
Director of Insurance

2-14-2012
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondents by mailing a copy to Respondents' counsel, Rodney Vincent at Vincent Law Office, 6940 O Street, Lincoln, Nebraska 68510, by certified mail, return receipt requested, on this 14th day of February, 2012.

Tracy A. Shuhn
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