

JAN 12 2012

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	
VS.)	
)	CAUSE NO. A-1933
CRYSTAL LESSERT,)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its representative, Eric Dunning, and Crystal Lessert, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb.Rev.Stat. §44-101.01 and §44-4047, et seq.

2. Respondent is a licensed insurance license under the laws of Nebraska at all times material to this petition. Respondent's current registered business address with the Nebraska Department of Insurance is 619 West Webster, Box 275, Morrill, NE 69358, and her registered home address is 235 East Charles Street, Morrill, NE 69358.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Crystal Lessert, Cause No. A-1933 on December 15, 2011. A copy of the petition was served upon the Respondent at the Respondent's

address registered with the Department by certified mail, return receipt requested, and First Class United States Mail.

2. The petition alleges that Respondent violated Neb.Rev.Stat. § 44-4059 (1)(b) and Neb. Rev. Stat. § 44-1525(11) as a result of the following conduct:

- a. On or about August 19, 2011, Karen Dyke, an Insurance Investigator employed by the Department of Insurance, sent a letter to Respondent at Respondent's registered business address by First Class United States Mail regarding a complaint filed with regard to Brock Helgerson. The letter included request for a response within three weeks of receipt of the letter. No response was received within the three weeks. A followup letter was sent September 14, 2011. No response was received within the three weeks. A certified letter was sent October 11, 2011. A response to that letter was received October 14, 2011.
- b. On or about July 27, 2011, 2011, Jeanette McArthur, an Insurance Investigator employed by the Department of Insurance, sent a letter to Respondent at Respondent's registered business address by First Class United States Mail regarding a complaint filed with regard to James Spenser. The letter included request for a response within three weeks of receipt of the letter. No response was received within the three weeks. A followup letter was sent August 22, 2011 a response to that letter was received September 12, 2011.

3. The petition alleges that Respondent violated Neb.Rev.Stat. § 44-4059 (1)(h) as a result of the following conduct:

- a. On or about June 8, 2010, James L. Spenser reported hail damage to property to Respondent. Respondent failed to report this claim until May 13, 2011, by which time the deadline for submitting claims under the terms of Mr. Spenser's policy had expired.
- b. On or about January 6, 2011, Respondent was informed that a driver on complainant's policy would be excluded at renewal, effective February 2, 2011. Agent advised the company that she would contact the insured to have the exclusion endorsement signed but did not.

4. The 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.

5. Respondent admits the allegation restated in Paragraphs 2 and 3 above.

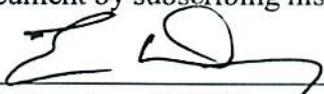
CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb.Rev.Stat. §44-4059 (1)(b) and 44-1525 (11), and Neb.Rev.Stat. §44-4059 (1)(h).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent that Respondent agrees to pay an administrative penalty of one thousand dollars (\$1000) within sixty days of the date that this order is signed by the Director of Insurance. Respondent further agrees to demonstrate to the Licensing Administrator of the Nebraska Department of Insurance that she has attended three hours of ethics training in addition to that mandated by law for licensed insurance producers within six months of the date that this order is signed by the Director of Insurance. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

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



Eric Dunning, #20686
Representative for Nebraska
Department of Insurance
941 O Street, Suite 400
Lincoln, Nebraska 68508
(402) 471-2201

12/15/11

Date



Respondent

11/10/12

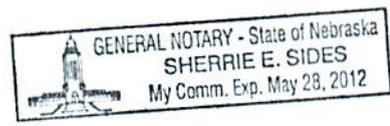
Date

Attorney for Respondent

Date

State of Nebraska)
County of Scotts Bluff) ss.

On this 10 day of January, 12, Crystal Lessert personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be her voluntary act and deed.



Sherrrie E. Sides
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. Crystal Lessert, Cause Number A-1933.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
BRUCE R. RAMGE
Director of Insurance

1-12-2012
Date

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Petition and Notice of Hearing is served upon the Respondent by sending a copy to Respondent at her business address as registered with the Department of Insurance, 619 West Webster, Box 275 Morrill, NE 69358 via certified mail, return receipt requested, on this 13th day of January, 2012.

Tracy A. Shuker

RECEIVED

JAN 11 2012

**NEBRASKA DEPARTMENT
OF INSURANCE**

NEBRASKA DEPARTMENT OF INSURANCE
STATE OF NEBRASKA
LINCOLN, NEBRASKA