NEBRASKA DEPARTMENT
OF INSURANCE

AUG 1 3 2013

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

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| STATE OF NEBRASKA<br>DEPARTMENT OF INSURANCE,<br><br>PETITIONER,<br><br>VS.<br><br>WILLIAM R. ERNEST,<br>NAIC #823476<br><br>RESPONDENT. | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | CONSENT ORDER<br><br>CAUSE NO. A-1987 |

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Laura L. Arp, and William R. Ernest ("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. Said jurisdiction and control have been present at all times material hereto.

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding, Cause No. A-1987, by filing a Petition captioned *State of Nebraska Department of Insurance vs. Willliam R. Ernest* on or about July 12, 2013. A copy of the Petition was served upon the Respondent via certified mail, return receipt requested, to Respondent's business address on record with the Department, 109

Brentwood, P.O. Box 428, Hickman, NE 68372, and via regular U.S. mail to Respondent's home address on record with the Department, 109 Brentwood, P.O. Box 428, Hickman, NE 68372.

2. The Petition alleges that Respondent committed two separate violations of Neb. Rev. Stat. § 44-4065(3):

a. Respondent failed to timely report a criminal proceeding in District Court of Lancaster County, Nebraska, in Case No. CR11-307. In CR11-307, Respondent was charged with violations of Neb. Rev. Stat. §§ 60-6,196, 60-6197.03(6), 28-310(1), and 60-6,213. On or about March 30, 2011, Respondent filed a written waiver of arraignment in Case No. CR11-307. Respondent did not report his arraignment or waiver of arraignment in Case No. CR11-307 within 30 days as required by Neb. Rev. Stat. § 44-4065(3).

b. Respondent failed to timely report a criminal proceeding in the County Court of Lancaster County, Nebraska, Case No. CR11-15438. In CR11-15438, Respondent was charged with violation of Neb. Rev. Stat. § 28-511. On or about October 31, 2011, Respondent was arraigned or waived arraignment in Case No. CR11-15438. Respondent did not report his arraignment or waiver of arraignment in Case No. CR11-15438 within 30 days as required by Neb. Rev. Stat. § 44-4065(3).

3. The Petition further alleges that Respondent violated Neb. Rev. Stat. § 44-4059(f) and (h) as a result of the following conduct.

a. Respondent pled guilty to a Class 3A Felony, third-offense DUI, in Case No. CR11-307. Respondent was sentenced in Case No. CR11-307 to incarceration in the Lancaster County Jail for 120 days, three years of probation, and a $1,000 fine. Respondent was also ordered that Respondent not drive any motor vehicle in the State of Nebraska for six years and Respondent's operator's license was revoked for that period of six years.

b. Respondent pled guilty to a Class 1 Misdemeanor, theft by unlawful taking $201-$499, in Case No. CR11-15438. Respondent was sentenced in Case No. CR11-15438 to a fine of $1,000 plus costs of prosecution.

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.

5. Respondent admits the allegations contained in the Petition and restated in Paragraphs 2 and 3 of the Stipulations of Fact above.

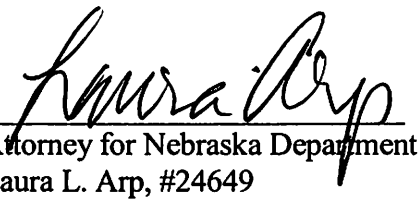
CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4065(3) and 44-4059(f) and (h).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, William R. Ernest, that Respondent's insurance producer's license shall be revoked, effective upon execution of this Consent Order. 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/her signature below.



Attorney for Nebraska Department of Insurance
Laura L. Arp, #24649
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

8/12/13
Date

William R. Ernest, Respondent

8/12/13
Date

STATE OF NEBRASKA )
) ss.
COUNTY OF LANCASTER )

On this 12th day of August, 2013, William R. Ernest personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his act and deed.

Notary Public

GENERAL NOTARY - State of Nebraska
KEVIN L. DEVALKENAERE
My Comm. Exp. Feb. 15, 2014

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of the State of Nebraska vs. William R. Ernest, Cause No. A-1987.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
BRUCE R. RAMGE, Director

8-13-2013
Date

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of August, 2013, a copy of the fully executed Consent Order was sent via certified mail, return receipt requested, to Respondent's business address on record with the Department, 109 Brentwood, P.O. Box 428, Hickman, NE 68372.

Victoria D Morehead