NEBRASKA DEPARTMENT
OF INSURANCE

MAY - 7 2014

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA DEPARTMENT OF INSURANCE, PETITIONER, VS. DUSTIN OURADA (NAIC National Producer # 13929075), RESPONDENT.	)	CONSENT ORDER CAUSE NO. A-1997

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Krystle Ledvina Garcia, and Dustin Ourada ("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 to 44-4067 (Reissue 2010).

2. Respondent was licensed as an 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. Dustin Ourada (NAIC National Producer # 13929075), Cause Number A-1997 on March 18, 2014. A copy of the petition was served upon the Respondent at Respondent's registered business by certified mail, return receipt requested, and Respondent's home addresses by regular U.S. mail.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1)(a), 44-4059(1)(f), and 44-4059(1)(h) (Reissue 2010) as follows:

a. On or about July 22, 2004, Respondent pled no contest in Case CR04-2893 in Lancaster County Court to a Class I Misdemeanor. Respondent was sentenced to one day in jail and ordered to pay a fine.

b. On or about May 13, 2009, Respondent applied for a resident insurance producer's license. The application included a background question in which Respondent answered "no" to the question, "Have you ever been convicted of or pled nolo contendere (no contest) to any misdemeanor or felony or currently have pending misdemeanor or felony charges filed against you? (Misdemeanor does not mean minor traffic violations.)"

c. On or about March 1, 2013, Petitioner received an insurance producer license renewal application from Respondent. The renewal application included a background question history form, in which Respondent answered "no" to the question, "have you been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime, which has not been previously reported to this insurance department?"

d. Respondent failed to report his misdemeanor conviction to the Department on his initial resident insurance producer's application as well as his renewal application.

3. 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.

4. Respondent admits the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059(1)(a), 44-4059(1)(f), and 44-4059(1)(h) (Reissue 2010).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, Dustin Ourada, that:

1. Respondent shall pay an administrative fine in the amount of one thousand dollars ($1,000.00) due within 90 days after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required under this consent order within the time specified, additional administrative action shall be taken by the Petitioner, which shall include revocation of Respondent's insurance producer license.

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

Krystle Ledvina Garcia, #23947
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

5/7/14
Date

Dustin Ourada
Respondent

5/1/2014
Date

State of Nebraska)
) ss.
County of Douglas)

On this 1 day of May, 2014, Dustin Ourada personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.

Notary Public

DANIEL H FITZPATRICK
State of Nebraska-General Notary
My Commission Expires
February 13, 2016

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. Dustin Ourada (NAIC National Producer Number 13929075), Cause No. A-1997.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
Bruce Ramge
Director of Insurance

5-7-2014
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to the business address of Respondent's Counsel, David Dudley, Baylor, Evenen, Curtiss, Grimit & Witt, LLP, 1248 O Street, Suite 600, Lincoln, NE 68508, by certified mail, return receipt requested, on this 7th day of May, 2014.