

JUN 02 2014

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

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|--|---|------------------|
| STATE OF NEBRASKA |) | |
| DEPARTMENT OF INSURANCE, |) | |
| |) | CONSENT ORDER |
| PETITIONER, |) | |
| |) | |
| VS. |) | CAUSE NO. A-1999 |
| |) | |
| NP DODGE TITLE SERVICES, LLC |) | |
| (NAIC National Producer #11654640) |) | |
| SAMUEL L. COOPER, |) | |
| (NAIC National Producer #5691372), and |) | |
| JILL M. KUSSMAN, |) | |
| (NAIC National Producer #3194333) |) | |

RESPONDENTS.

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Krystle Ledvina Garcia and NP Dodge Title Services, LLC, Samuel L. Cooper, and Jill M. Kussman (“Respondents”), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondents pursuant to Neb. Rev. Stat. §§44-101.01, 44-4047 et seq, and 44-19,106 et seq. (Reissue 2010).
2. Respondents were licensed as an insurance agency and agent 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. NP Dodge Title Services, LLC, Samuel L. Cooper, and Jill M. Kussman, Cause Number A-1999 on March 18, 2014. A

copy of the petition was served upon the Respondents at the Respondents' addresses registered with the Department by certified mail, return receipt requested.

2. Respondents violated Neb. Rev. Stat. §§ 44-19,116(1)(c), 44-4059(1)(b), and 44-4059(1)(h) (Reissue 2010) as a result of the following conduct:

- a. On or about February 28, 2013, Respondents conducted a real estate closing. At the closing, \$500 was escrowed to pay for sprinkler repairs. The Buyers signed an escrow agreement regarding disbursement of the funds but the Seller did not.
- b. On or about April 10, 2013, Respondents' escrow officer contacted the seller and requested he sign the escrow agreement. This correspondence occurred more than 30 days after the closing.
- c. On or about May 6, 2013, Respondents received an invoice for the sprinkler repairs. Shortly thereafter, Respondents disbursed the escrow funds. Respondents did not have written instruction or agreement regarding disbursement of the funds.

3. 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.

4. Respondents admit the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondents' conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§ 44-19,116(1)(c), 44-4059(1)(b), and 44-4059(1)(h) (Reissue 2010).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondents, NP Dodge Title Services, LLC, Samuel L. Cooper, and Jill M. Kussman, that Respondents shall pay an administrative fine in the amount of one thousand dollars (\$1,000.00) due within thirty (30) days after the Director of Insurance or his designee approves and signs this

[Handwritten Signature]

Samuel L. Cooper, Respondent

May 29, 2014

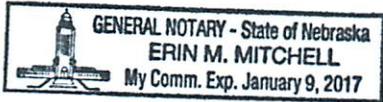
Date

State of Nebraska)

) ss.

County of Douglas)

On this 29 day of MAY, 2014, Samuel L. Cooper personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Erin Mitchell

Notary Public

Jill M. Kussman

Jill M. Kussman, Respondent

5/29/14

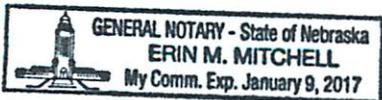
Date

State of Nebraska)

) ss.

County of Douglas)

On this 29 day of MAY, 2014, Jill M. Kussman personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be her voluntary act and deed.



Erin Mitchell

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. NP Dodge Title Services, LLC, Samuel L. Cooper, and Jill M. Kussman, Cause No. A-1999.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge

BRUCE RAMGE
Director of Insurance

6-2-2014

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondents, by certified mail, return receipt requested, at 13915 Gold Circle, Omaha, NE 68144, on this 2 day of June, 2014.

Brandis J. Cousins