

APR 07 2016

BEFORE THE DEPARTMENT OF INSURANCE STATE OF NEBRASKA

FILED

STATE OF NEBRASKA )
DEPARTMENT OF INSURANCE, )
PETITIONER, )
VS. )
BRUCE LEE SOUTHWELL )
(NAIC National Producer Number 64109), )
RESPONDENT. )

CONSENT ORDER

CAUSE NO. A-2034

IDENTIFIER # 64109

AMOUNT \$ 4000. -

APR 07 2016

DISTRIBUTION # 21342469

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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.

2. Respondent was licensed as a resident 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. Bruce Lee Southwell (NAIC National Producer Number 64109), Cause Number A-2034 on March 4, 2016.

2. A copy of the petition was served upon the Respondent at the Respondent's addresses registered with the Department by certified mail, return receipt requested, and by regular U.S. mail.

3. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-101, 44-4059(1)(b), and 44-4059(1)(h) as a result of the following conduct:

- a. Between May 7, 1981 and March 6, 2014, Respondent worked as a licensed insurance producer for American Family Insurance Company.
- b. Between February 13, 2015 and July 30, 2015, Respondent made approximately 30 telephone calls to American Family Insurance Company's 24-hour telephone Sales and Service Care Center. During these calls, Respondent impersonated American Family Insurance Company customers and obtained detailed information about their policies.
- c. During these calls, Respondent did not offer an authorization from the policyholder to discuss their policy details, although American Family Insurance Company does have procedures to allow customers to authorize a third party to obtain information from the Call Center.
- d. Respondent has used information received from the above referenced phone calls in order to solicit his former clients.
- e. Since Respondent's departure from American Family Insurance Company, Respondent has repeatedly utilized overly aggressive and harassing sales tactics in soliciting former clients.

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 has been a licensed insurance agent for over 32 years and has been subject to no prior disciplinary action from the Nebraska Department of Insurance. Respondent neither admits nor denies the allegations stated in Paragraph 3. Respondent voluntarily accepts the terms of this Consent Order so that he and the Department may promptly resolve the allegations against him in a cooperative, professional and efficient manner.



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. Bruce Lee Southwell, Cause No. A-2034.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

Bruce R. Range

Bruce Range  
Director of Insurance

4-7-2016

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to his registered business and residence address at 2809 S. 160th Street, Suite 307, Omaha, NE 68130-1755 via certified mail return receipt requested, on this 7 day of April, 2016.

Brandis Coarse