

FEB 28 2017

BEFORE THE DEPARTMENT OF INSURANCE STATE OF NEBRASKA

STATE OF NEBRASKA )
DEPARTMENT OF INSURANCE, )
PETITIONER, )
VS. )
ELIDHET SOTO )
(NAIC National Producer #18098323), )
RESPONDENT. )

FILED

CONSENT ORDER

CAUSE NO. A-2054

IDENTIFIER # ELIDHET SOTO

AMOUNT \$ 200.00

MAR 01 2017

DISTRIBUTION # 21353831

CHECK # 213815

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Krystle Ledvina Garcia, and Elidhet Soto ("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. Elidhet Soto (NAIC National Producer # 18098323), Cause Number A-2054 on December 22, 2016. A copy of the petition was served upon the Respondent at Respondent's registered business address by certified mail, return receipt requested, and Respondent's home addresses by regular U.S. mail.

RECEIVED

FEB 28 2017

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1)(a), 44-4059(1)(b), 44-4059(1)(g), 44-4059(1)(h), and 44-1525(11) (Reissue 2010) as follows:

- a. On or about June 27, 2011, Respondent was convicted in the County Court of Douglas County in case CR 11-17854 for Theft-Shoplifting \$0-200, a Class 2 Misdemeanor and was given a sentence of a \$100.00 fine.
- b. On or about September 6, 2016, Respondent applied for a Nebraska resident producer license. Respondent answered “no” to Background Question number 1 which specifically states: “Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”
- c. Based upon the information provided in the application, Respondent was issued a resident producer license. Shortly after, a routine background check was completed on Respondent and the 2011 theft conviction was discovered.
- d. On or about September 13, 2016, Jane Francis, Administrator for the Department’s Consumer Affairs Division (“Francis”) sent a written letter of inquiry to Respondent concerning the 2011 conviction. The investigatory letter was sent via regular United States mail to Respondent’s registered business address at 2809 South 160th Street, Suite 201, Omaha, NE 68130. This letter was not returned to the Department.
- e. Respondent failed to respond to the investigatory letter dated September 13, 2016 within fifteen (15) working days.
- f. On or about October 17, 2016, Francis sent another letter to Respondent regarding the 2011 conviction. The investigatory letter was sent via regular United States mail to Respondent’s registered business address at 2809 South 160th Street, Suite 201, Omaha, NE 68130. This letter was not returned to the Department.
- g. Respondent failed to respond to the investigatory letter dated October 17, 2016 within fifteen (15) working days.
- h. On or about November 14, 2016, Francis sent another follow up letter via Certified U.S. mail return receipt requested to Respondent’s residence address at 2702 Georgia Avenue, Bellevue NE 68147. On or about December 7, 2016, this investigatory letter was returned to the Department by the United States Postal Service as “Unclaimed.”

3. 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.

4. Respondent neither admits nor denies 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)(b), 44-4059(1)(g), 44-4059(1)(h), and 44-1525(11) (Reissue 2010).

CONSENT ORDER

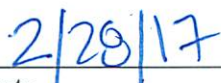
It is therefore ordered by the Director of Insurance and agreed by Respondent, Elidhet Soto, that:

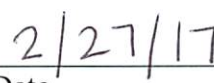
1. Respondent shall pay an administrative fine in the amount of two hundred dollars (\$200.00) due within 60 days after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required under this consent order within the time specified, additional 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 her signature below.

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

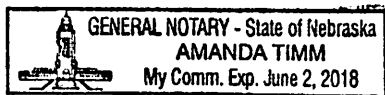
  
\_\_\_\_\_  
Elidhet Soto  
Respondent

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

State of Nebraska )  
 ) ss.  
County of Douglas )

On this 27 day of February, 2017, Elidhet Soto personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be her voluntary act and deed.



Amanda Timm  
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. Elidhet Soto (NAIC National Producer Number 18098323), Cause No. A-2054.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

Bruce Range  
Bruce Range  
Director of Insurance

2-28-2017  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition and Notice of Hearing was served upon Respondent by mailing a copy to her registered business address at 2809 South 160th Street, Suite 201, Omaha, NE 68130, via certified mail, return receipt requested, and to her registered residence address, 2702 Georgia Avenue, Bellevue, NE 68147, by regular U.S. mail, on this 1 day of March, 2017.

Brandis Couser