

MAY 16 2017

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	
VS.)	CAUSE NO. A-2064
)	
DONALD MICHAEL VALDEZ,)	
(NAIC National Producer #1616802))	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Robert M. Bell, and Donald Michael Valdez (“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 the Insurance Producers Licensing Act, Neb. Rev. Stat. §§ 44-4047 to 4067.

2. Respondent is a licensed nonresident 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 and Notice of Hearing captioned State of Nebraska Department of Insurance vs. Donald Michael Valdez (NAIC National Producer #1616802), Cause No. A-2064, on April 24, 2017.

2. The Department mailed a copy of the Petition and Notice of Hearing to the business and residence address Respondent registered with the Department, 23986 Aliso

Creek Rd. 530, Laguna Niguel, CA 92677, by certified mail, return receipt requested and by regular U.S. mail. The Department also emailed a copy of the Petition and Notice of Hearing to Respondent's email address registered with the Department, michael.valdez@advantisins.com. Respondent received a copy of the Petition and Notice of Hearing.

3. The Petition alleges that Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(a), 44-4059(1)(c) and 44-4059(1)(h) as follows:

- a. On or about October 20, 2005, Respondent's Colorado insurance producer license was revoked and Respondent was fined \$11,500 after a disciplinary action filed by the State of Colorado Division of Insurance related to Respondent's actions as an insurance producer in Colorado.
- b. On or about April 5, 2017, Respondent applied for a nonresident insurance producer license with the Department. Respondent answered "no" on the application to the question "Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?" The application states that "involved" includes having a license revoked or being assessed a fine.

5. 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.

6. Respondent admits to the allegations alleged in paragraph 3. Respondent consents to the revocation of his Nebraska insurance producer license, #1616802.

CONCLUSIONS OF LAW

Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(a), 44-4059(1)(c) and 44-4059(1)(h) and is subject to disciplinary action pursuant to Neb. Rev. Stat. § 44-4059.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by the Respondent, Donald Michael Valdez, that Respondent's Nebraska insurance producer license #1616802 shall be revoked. Additionally, Respondent is required to return his license to the Department of Insurance ten (10) business days from the date the Director of the Department of Insurance affixes his signature to this document and approves this consent agreement,

In witness of their intention to be bound by this Consent Order, the parties have executed this document by subscribing their signatures below.

<u>Robert M Bell</u>	<u>5/15/2017</u>
Robert M. Bell, #22390 Attorney for Petitioner 941 O Street, Suite 400 Lincoln, NE 68508 402-471-2201	Date

<u>Donald Michael Valdez</u>	<u>5/8/2017</u>
Donald Michael Valdez Respondent	Date

STATE OF CALIFORNIA
~~NEBRASKA~~)
) ss.
 COUNTY OF ORANGE)

On this 08 day of MAY, 2017, Donald Michael Valdez personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.

Heidi Hubbs
Notary Public



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of ORANGE

On MAY 8, 2017 before me, Heidi Hubbs, Notary
(insert name and title of the officer)

personally appeared DONALD MICHAEL VALDEZ,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Heidi Hubbs

(Seal)



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 the State of Nebraska Department of Insurance v. Donald Michael Valdez, NAIC National Producer #1616802, Cause No. A-2064.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
BRUCE R. RAMGE
Director of Insurance

5-16-2017
Date

CERTIFICATE OF SERVICE

I hereby certify that fully executed copies of this Consent Order were served upon

Respondent as follows:

Via Regular and Certified Mail
Donald Michael Valdez
23986 Aliso Creek Rd. 530
Laguna Niguel, CA 92677

On this 16 day of May, 2017.

Blandis J. Cooney

RECEIVED

MAY 12 2017

**NEBRASKA DEPARTMENT
OF INSURANCE**