

JUL 17 2017

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	
VS.)	CAUSE NO. A-2076
)	
DIANE C. HITZ)	
(NAIC National Producer #3192937),)	
)	
RESPONDENT.)	
)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Krystle Ledvina Garcia, and Diane C. Hitz (“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. Diane C. Hitz (NAIC National Producer #3192937), Cause Number A-2076 on June 22, 2017. 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 residence addresses by regular U.S. mail.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(f), 44-4059(1)(h), and 44-4065(3) (Reissue 2010) as follows:

- a. On or about April 21, 2016, the Respondent was arraigned in the County Court of Butler County, Nebraska in case CR 16-64 for the following charges: Motor Vehicle Homicide, a Class III Felony; Dui .15+, a Class W Misdemeanor, and Willful Reckless Driving-1st Offense, a Class 3 Misdemeanor. On or about June 20, 2016, Respondent was bound over to the District Court of Butler County.
- b. On or about July 5, 2016, the Respondent was arraigned in Butler County District Court for the previous three charges under case CR 16-26.
- c. On or about April 4, 2017, Respondent pled guilty to Motor Vehicle Homicide-Reckless/Willful, a Class 3A Felony. On or about June 14, 2017 Respondent was sentenced to 90 days in jail, three years probation, and ordered to pay costs.
- d. Respondent failed to report this criminal action within 30 days of arraignment to the Department as required.

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)(b), 44-4059(1)(f), 44-4059(1)(h), and 44-4065(3) (Reissue 2010).

CONSENT ORDER

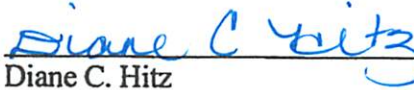
It is therefore ordered by the Director of Insurance and agreed by Respondent, Diane C. Hitz, that:

1. Respondent's Nebraska Resident Insurance Producer License shall be suspended from the day the Director adopts this Consent Order for a period of sixty (60) days.

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



Diane C. Hitz
Respondent

7/17/2017
Date

7/14/17
Date

State of NEBRASKA)

County of PLATTE)

) ss.
)

On this 14th day of July, 2017, Diane C. Hitz personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be her voluntary act and deed.



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 vs. Diane C. Hitz (NAIC National Producer Number 3192937), Cause No. A-2076.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R Range
Bruce Range
Director of Insurance

7-17-2017
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to her attorney at Grant & Grant, 1464 27th Avenue, Columbus, NE 68601 via certified mail, return receipt requested, and regular U.S. mail, on this 18 day of July, 2017.

Brandis Bauer