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NEBRASKA DEPARTMENT
OF INSURANCE

FEB 25 2019

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FEB 26 2019

NEBRASKA DEPARTMENT
OF INSURANCE

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	
VS.)	
)	
JONATHAN SCHLUE)	CAUSE NO. A-2173
(NAIC Producer #16841833),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Robert E. Harkins, and Jonathan Schlue (“Respondent”), mutually stipulate and agree as follows:

JURISDICTION

1. Petitioner 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 non-resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. Petitioner initiated this administrative proceeding by filing an Amended Petition captioned State of Nebraska Department of Insurance vs. Jonathan Schlue (NAIC Producer #16841833), Cause Number A-2173 on January 16, 2019. A copy of the Amended Petition was properly served upon the Respondent at his registered business and residence address by certified mail, return receipt requested, and by regular U.S. mail. Respondent acknowledges receiving proper Notice of these proceedings.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(e), 44-4059(1)(g), 44-4059(1)(h), and 44-4059(1)(i) as follows:

- a. On or about September 28, 2018, Respondent submitted a life insurance application for proposed insured S.S. On the producer statement submitted with the application, Respondent answered “yes” to the following question: “I certify that during an interview with the Proposed Insured, I asked each question exactly as written and recorded the answers provided by the Proposed Insured completely and accurately.” The producer’s statement also includes Respondent’s assertion that he conducted an interview with S.S. via telephone. During a subsequent investigation by the issuing company (United of Omaha Life Insurance Company), it was learned that Respondent did not in fact speak with S.S. at any time, but rather spoke with S.S.’s wife. Respondent subsequently admitted the application was completed by S.S.’ wife.
- b. On or about September 28, 2018, Respondent submitted a life insurance application for proposed insured C.H. On the producer statement submitted with the application, Respondent answered “yes” to the following question: “I conducted said interview [application interview with C.H.] in person.” During a subsequent investigation by the issuing company (United of Omaha Life Insurance Company), Respondent admitted he had conducted his interview with C.H via telephone.
- c. On or about December 20, 2018, pursuant to a Consent Order, the South Dakota Division of Insurance revoked Respondent’s non-resident producer license. Respondent admitted to knowingly providing the South Dakota Division of Insurance with false, misleading, or incomplete information.
- d. Undersigned counsel has discussed these allegations with Respondent. The action in South Dakota was based on false information provided to the South Dakota Division of Insurance by Respondent at the behest and direction of Respondent’s company compliance staff. Respondent reported the South Dakota action in a timely fashion, admitted wrong doing, and acknowledges he is ultimately responsible for providing complete and accurate information to regulatory authorities.

3. Respondent admits the allegations in Paragraph 2.

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 consents to the suspension of his Nebraska non-resident producer license (#16841833) for a minimum period of thirty (30) days, commencing upon the date this Consent Order is adopted by the Director. Respondent also agrees to pay an administrative fine of five hundred dollars (\$500.00) within thirty days of the adoption of this Consent Order. Respondent's non-resident producer's license shall remain suspended indefinitely beyond the initial thirty (30) day period if Respondent fails to pay the administrative fine within thirty (30) days. Said license will remain suspended until the administrative fine is paid in full.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(e), 44-4059(1)(g), 44-4059(1)(h), and 44-4059(1)(i), and Respondent 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 Respondent that:

1. Respondent agrees to the disciplinary sanction described in paragraph 5 of the Stipulations of Fact above.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



Robert E. Harkins, #20934
Attorney for Petitioner
1135 M Street, Suite 300
Lincoln NE 68508
(402) 471-2201

2/26/19
Date



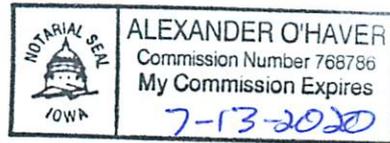
Jonathan Schlue
Respondent

2/19/19
Date

State of Iowa)
) ss.
County of Scott)

On this 19th day of February, 2019, Jonathan Schlue personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his 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. Jonathan Schlue (NAIC National Producer #16841833), Cause No. A-2173.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE


Bruce R. Ramage
Director of Insurance

2-26-2019
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 business and home address at 4303 Wittman Drive, Davenport, IA 52806-4350, by certified mail, return receipt requested, and by regular U.S. mail, on this 26 day of February, 2019.

Brandis Bauer