

MAR 20 2019

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	
VS.)	CAUSE NO. A-2174
)	
CHARLES E. CLARK,)	
(NAIC National Producer #229550),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Tracy A. Burns, and Charles E. Clark (“Respondent”), by and through his attorney, David A. Domina, 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 44-4069.
2. Respondent was a licensed 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 and Notice of Hearing captioned State of Nebraska Department of Insurance vs. Charles E. Clark, (NAIC National Producer #229550), Cause No. A-2174, on January 18, 2019.
2. The Department mailed a copy of the Petition and Notice of Hearing to the Respondent’s registered business address with the Department, 285 S. 68th Street Plc, Suite 318,

Lincoln, Nebraska 68510 and Respondent's registered home address of 1111 Driftwood Drive, Lincoln, Nebraska 68510, by certified mail, return receipt requested. Respondent received a copy of the Petition and Notice of Hearing and contacted his attorney, David A. Domina.

3. The Petition alleges that Respondent violated Neb. Rev. Stat. §§ 44-317, 44-4059(1)(b), and 44-4059(1)(h) as the result of borrowing approximately fifty-six thousand dollars (\$56,000) from his client, Donald M. Miller. Respondent began writing insurance policies for the client in 2004 and continued through 2012. Respondent advised his counsel that he received a loan from the client on or around December 2005. Additional loans occurred through, at least, September 2012.

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 admits to the allegations alleged in paragraph 3.

CONCLUSIONS OF LAW

Respondent's conduct above constitutes violations of Neb. Rev. Stat. §§ 44-317, 44-4059(1)(b) and 44-4059(1)(h) (Reissue 2010).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by the Respondent, Charles E. Clark, by and through his attorney, David A. Domina, that:

1. Respondent's Nebraska insurance producer license shall be suspended for four (4) months beginning May 1, 2019.

2. Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1,000) due within 90 days of the date that suspension begins on May 1, 2019.

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 the Respondent's insurance producer license.

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

Tracy A. Burns
Tracy A. Burns #25398
Attorney for Petitioner
1135 M Street Suit 300
PO Box 82089
Lincoln, NE 68501
(402) 471-4650

March 20, 2019
Date

Charles E. Clark
Charles E. Clark
Respondent

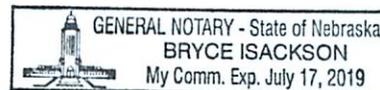
3-18-19
Date

c/o David A. Domina #11043
Domina Law Group, PC 110
2425 S 144th, Omaha NE 68144-3267
402.493.4100

STATE OF NEBRASKA)
) ss.
COUNTY OF Douglas)

On this 18 day of March, 2019, Charles E. Clark personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.

Bryce Isackson
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 the State of Nebraska Department of Insurance v. Charles E. Clark, NAIC National Producer #229550, Cause No. A-2174.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge

BRUCE R. RAMGE
Director of Insurance

3-20-2019
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

David A. Domina
Domina Law Group, PC, LLO
2425 S 144th Street
Omaha, NE 68144

On this 21 day of March, 2019.

RECEIVED
MAR 20 2013
NEBRASKA DEPARTMENT
OF INSURANCE