

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NEBRASKA DEPARTMENT
OF INSURANCE

AUG 11 2020

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
ANDREW DOUGHERTY)
(NAIC Producer #17280491),)
)
RESPONDENT.)

CONSENT ORDER **FILED**

CAUSE NO. A-2217

In order to resolve this matter, the Nebraska Department of Insurance ("Petitioner"), by and through its attorney, Michael W. Anderson, and Andrew Dougherty ("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 has been 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 a Petition captioned State of Nebraska Department of Insurance vs. Andrew Dougherty (NAIC National Producer # 17280491), Cause Number A-2217 on May 18, 2020. A copy of the Petition was sent to the Respondent at his registered address by certified mail, return receipt requested, and by regular U.S. mail. A copy of the petition was emailed to the Respondent at

ard007@morningside.edu on July 8, 2020, per his request. 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) (g), 44-4059(1) (h), 44-1524 (1), and 44-5054 (8) as follows:

- a. In January of 2020, Respondent was terminated for cause by Northwestern Mutual Insurance Company (Northwestern). Respondent was found to have placed a client's initials on a financial document without the client's knowledge, and subsequently to have asked the client to help him fabricate an email to conceal the forgery. These concerns were reported to Northwestern by the client on December 3, 2019.
- b. On or about December 5, 2019, Respondent's supervisors met with the Respondent and Respondent admitted to signing one Mr. Hester's initials to a required Switch Analysis & Disclosure form. Respondent further admitted that he solicited Mr. Hester's help in creating an email to cover the fraudulent nature of his actions. Mr. Hester sent Respondent an email, after which Respondent forwarded said email to a personal address, edited the date of Mr. Hester's response to show an earlier date than was actually sent, and subsequently forwarded the edited email to his supervisor.
- c. On or about April 1, 2020, an Investigator with Petitioner's Consumer Affairs Division sent a letter to Respondent's business address, requesting a response to the allegations of Northwestern. This letter was returned to Petitioner's Office on April 16, 2020 as "No longer @ this address".

- d. Respondent did not, and has not updated his business address with Petitioner's Office.
- e. On or about April 16, 2020, a certified letter was sent to Respondent's home address, requesting a response. This certified letter was delivered to Respondent's address and signed for. A Domestic Return Receipt was returned to Petitioner's office for this letter on April 21, 2020.
- f. A response was never received from Respondent to either contact attempt.
- g. Respondent did provide the Petitioner's Office with a written response once this action was pending.

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.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059(1) (b), 44-4059 (1) (g), 44-4059(1) (h), and 44-1524 (1), 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 revocation of his Nebraska non-resident insurance producer's license, with said revocation to be effective on the date this Consent Order is adopted and approved by the Director of Insurance.

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



Michael W. Anderson, #25671
Attorney for Petitioner
1135 M Street, Suite 300
Lincoln NE 68501
(402) 471-2201

8/11/20

Date



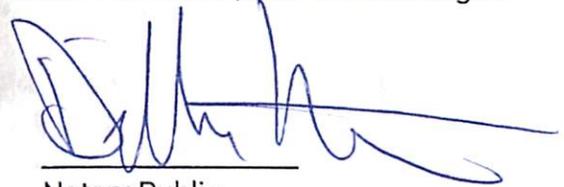
Andrew Dougherty
Respondent

7/21/20

Date

State of Iowa)
County of Dallas) ss.

On this 21 day of July, 2020, Andrew Dougherty, 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



DILLON THOMAS
Commission Number 823990
My Commission Expires
February 25, 2023

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. Andrew Dougherty (NAIC National Producer #17280491), Cause No. A-2217.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramage

Bruce R. Ramage
Director of Insurance

8-11-2020

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 home address at 575 NE Dellwood Drive, Waukee, Iowa 50263, by certified mail, return receipt requested, by regular U.S. mail, and via email to ard007@morningside.edu, on this 11th day of August, 2020.

Shelley Storie