

DEC 20 2018

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

|                                    |   |                  |
|------------------------------------|---|------------------|
| STATE OF NEBRASKA                  | ) |                  |
| DEPARTMENT OF INSURANCE,           | ) | )                |
|                                    | ) | CONSENT ORDER    |
| PETITIONER,                        | ) | )                |
|                                    | ) |                  |
| VS.                                | ) | CAUSE NO. A-2165 |
|                                    | ) |                  |
| CROP PRO INS SERVICES INC,         | ) |                  |
| (NAIC National Producer #18491323) | ) |                  |
|                                    | ) |                  |
| and                                | ) |                  |
|                                    | ) |                  |
| GUIDEONE MUTUAL INSURANCE          | ) |                  |
| COMPANY (NAIC #15032),             | ) |                  |
|                                    | ) |                  |
| RESPONDENTS.                       | ) |                  |

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Robert M. Bell, and Crop Pro Ins Services Inc ("Crop Pro") and GuideOne Mutual Insurance Company ("GuideOne") (collectively referred to as "Respondents") mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondents pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-135, the Insurance Producers Licensing Act, Neb. Rev. Stat. §§ 44-4047 to 4067, and the Managing General Agent Act, Neb. Rev. Stat. §§ 44-4901 to 44-4910.

2. Crop Pro is a licensed nonresident insurance producer and managing general agent under the laws of Nebraska and GuideOne is an Iowa domiciled insurer licensed to do business in 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. Crop Pro Ins Services Inc (NAIC National Producer #18491323) and GuideOne Mutual Insurance Company (NAIC #15032), Cause No. A-2165, on December 19, 2018.

2. The Department mailed a copy of the Petition and Notice of Hearing to the Crop Pro's registered address with the Department, 5435 NW 100th Suite 200, Johnston, IA 50131, by certified mail, return receipt requested, and by email to Crop Pro's registered email address [agencyervices@croppro.com](mailto:agencyervices@croppro.com).

3. The Department mailed a copy of the Petition and Notice of Hearing to the GuideOne's registered address 1111 Ashworth Rd, West Des Moines, IA, 50265-3538.

4. Respondents received a copy of the petition and notice of hearing.

5. The Petition alleges that Respondents violated Neb. Rev. Stat. § 44-4059(1) as follows: In or about February through May 2018, Respondent Crop Pro did not sufficiently limit sales of Production Plan Hail Insurance in Nebraska and failed to receive confirmation of reinsurance in a timely manner, resulting in Crop Pro cancelling 367 Nebraska insurance policies.

6. Respondents were informed of their right to a public hearing. Respondents waive that right and enter into this Consent Order freely and voluntarily. Respondents understand and acknowledge that by waiving the right to a public hearing, Respondents are also waiving their right to confrontation of witnesses, production of evidence, and judicial review.

7. In the spirit of cooperation with the Department, Respondents are willing to resolve all pending matters to avoid the uncertainty and expense of litigation.

Respondents voluntarily agree to settle this matter by agreeing to the terms of this Consent Order.

#### **CONCLUSIONS OF LAW**

Crop Pro violated Neb. Rev. Stat. § 44-4059(1) and is subject to disciplinary action pursuant to Neb. Rev. Stat. § 44-4059. Pursuant to Neb. Rev. Stat. § 44-4907, Crop Pro's actions are considered the actions of GuideOne.

#### **CONSENT ORDER**

It is therefore ordered by the Director of Insurance and agreed by Crop Pro Insurance Services Inc and GuideOne Mutual Insurance Company that:

1. Crop Pro agrees to pay an administrative penalty of \$50,000 within 15 days after the Director or his designee approves and signs this Consent Order. Failure to pay the fine will result in immediate administrative action against Crop Pro.
2. GuideOne agrees to pay an administrative penalty of \$10,000 within 15 days after the Director or his designee approves and signs this Consent Order. Failure to pay the fine will result in immediate administrative action against GuideOne.
3. Crop Pro agrees that it will allow its Nebraska insurance producer and managing general agent licenses to expire on April 30, 2019, and that Crop Pro will not reapply for an insurance producer license or managing general agent license for at least five years after the date the Director signs this Consent Order. This voluntary exit from Nebraska also extends to any successor

entities of Crop Pro and business entities of which Crop Pro's executives, William Rose and/or Joseph Young, are owners or executives.

The Department of Insurance will continue to retain jurisdiction over this matter. In witness of their intention to be bound by this Consent Order, the parties have executed this document by subscribing their signatures below.

Robert M Bell 12-19-18

Robert M. Bell, #22390 Date  
1135 M Street, Suite 300  
P.O. Box 82089  
Lincoln, NE 65801-2089

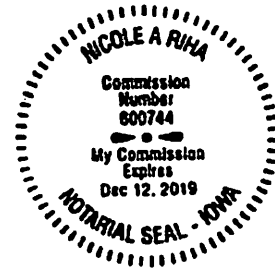
RESPONDENT 12-19-18  
Crop Pro Ins Services Inc Date  
Respondent

STATE OF IOWA )  
 ) ss.  
COUNTY OF FOLK )

On this 19<sup>th</sup> day of December, 2018, Crop Pro Ins Services Inc personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be its voluntary act and deed.

Nicole A. Rina  
Notary Public

GuideOne Mutual Insurance Company 12/20/18  
Date



Respondent

STATE OF IOWA )  
COUNTY OF Polk ) ss. )

On this 20th day of December, 2018, GuideOne Mutual Insurance Company personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be its voluntary act and deed.

Misty Fisher  
-  
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. Crop Pro Ins Services Inc (NAIC National Producer #18491323) and GuideOne Mutual Insurance Company (NAIC #15032), Cause No. A-2165.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
\_\_\_\_\_  
BRUCE R. RAMGE  
Director of Insurance

  
\_\_\_\_\_  
Date

CERTIFICATE OF SERVICE

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

Respondents as follows:

Via Certified Mail  
Crop Pro Ins Services Inc  
5435 NW 100th Suite 200  
Johnston, IA 50131  
agency@croppro.com

GuideOne Mutual Insurance Company  
1111 Ashworth Rd  
West Des Moines, IA, 50265-3538

On this 20 day of December, 2018.

  
\_\_\_\_\_