

FILED

JUL 02 2007

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

NEBRASKA DEPARTMENT
OF INSURANCE

STATE OF NEBRASKA)
DEPARTMENT OF INSURANCE,)
)
PETITIONER,)
)
VS.)
)
MICHAEL W. CARPENTER,)
)
RESPONDENT.)
)

CONSENT ORDER
CAUSE NO. A-1725

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Joel F. Green and Michael W. Carpenter ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to NEB. REV. STATS. §§ 44-101.01 and 44-4047 et seq. (Reissue 2004). Said jurisdiction and control have been present at all times material hereto.

2. Michael W. Carpenter ("Respondent") was licensed as an insurance agent 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. Michael w. Carpenter, Cause Number A-1725 on May 11, 2007. A copy of the petition was served upon Respondent at the Respondent's registered

mailing address, 2401 South 130th Circle, Omaha, NE 68144, for service of process by certified mail, return receipt requested.

2. Respondent allegedly violated NEB. REV. STAT. §§ 44-1525(11), 44-4059(1)(b), and 44-4059(1)(g) (Reissue 2004) as a result of the following conduct:

- a. On or about March 12, 2007, Cindy Williamson, Insurance Investigator for Petitioner, mailed a letter to Respondent at 2401 South 130th Circle, Omaha, NE 68144, requesting information regarding an on-going investigation. The letter specifically stated, "Nebraska Revised Statute 44-1525(11) requires response within fifteen working days." Respondent failed to respond within 15 working days.
- b. On or about April 9, 2007, Jane Francis, Administrator of the Consumer Affairs Division for Petitioner, sent a second letter, via certified mail, to Respondent. The letter contained a copy of the March 12, 2007 letter, noted the Respondent's failure to respond to the March 12, 2007 letter, requested an immediate response, and stated "[f]ailure to respond to this Department within fifteen working days may be a violation of the Insurance Producers Licensing Act, Nebraska Revised Statute 44-1525(11), and could result in the suspension or revocation of your license." Respondent failed to provide a response within 15 working days.

3. 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 the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

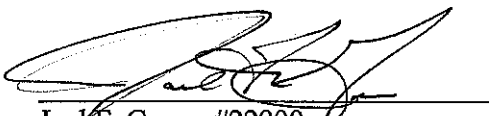
4. Respondent admits the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of NEB. REV. STAT. §§ 44-1525(11), 44-4059(1)(b), and 44-4059(1)(g) and is subject to disciplinary action pursuant to NEB. REV. STAT. § 44-4059 (Reissue 2004).

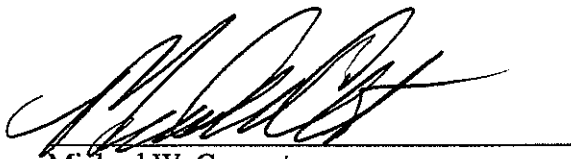
CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, Michael W. Carpenter, that Respondent shall pay an administrative fine in the amount of one thousand dollars (\$1000.00), due within 30 days after the Director of Insurance or his designee approves and signs this consent order. If Respondent fails to pay the amount required as specified under this consent order, additional administrative action shall be taken by the Petitioner, which may include revocation of Respondent's Nebraska certificate of authority. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his/her signature below.



Joel F. Green, #22900
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

7/2/07
Date



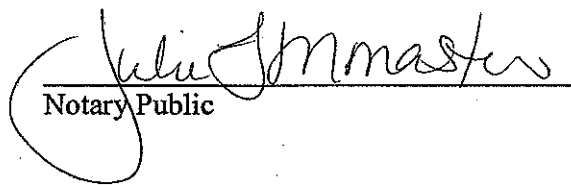
Michael W. Carpenter,
Respondent

By: Michael W Carpenter

6/28/07
Date

State of Nebraska)
County of Douglas) ss.

On this 28th day of June, 2007, Michael W. Carpenter personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his/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. Michael W. Carpenter, Cause No. A-1725.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



L. TIM WAGNER
Director of Insurance

2/2/07

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent's registered business address, 2401 South 130th Circle, Omaha, NE 68144, by certified mail, return receipt requested on this 2nd day of July, 2007.

Tracy A. Stumm