

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

JUL 25 2002

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	CAUSE NO. A-1467
VS.)	
)	
ARNOLD POSPISIL)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Linda R. Sanchez-Masi, and Arnold Pospisil ("Respondent"), 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 §44-101.01, §44-4001, et seq., repealed as of September 1, 2001, and §44-4047 et seq., effective September 1, 2001.

2. Respondent is and was licensed as an insurance agent/producer under the laws of the Nebraska at all times material hereto. Respondent's registered address with the Department of Insurance is 409 East 12th Street, Wahoo, NE 68066-1411

STIPULATIONS OF FACT

1. The Department initiated this administrative proceedings by filing a Petition styled State of Nebraska Department of Insurance vs. Arnold Pospisil, on April 30, 2002. A copy of the Petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. The Petition alleges that Respondent violated Neb. Rev. Stat. §44-4028(2) in certain particulars.

3. The Petition alleges that Respondent violated Neb. Rev. Stat. §44-4028(11) in certain particulars.

4. The Petition alleges that Respondent violated Neb. Rev. Stat. §44-1525(10) in certain particulars.

5. The Petition alleges that Respondent violated Neb. Rev. Stat. §44-361 in certain particulars.
6. The Respondent was informed of his rights to a public hearing. Respondent waives that right, and enters into his 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. Respondent is represented by legal counsel, to-wit: James M. Egr, Attorney at law, 465-4th Street, David City, Nebraska 68632.
7. Respondent admits the allegations contained in the Petition and restated in Paragraphs "2", "3", "4" and "5".

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §44-4028 (2), and (11), §44-1525(10) and §44-361.

CONCLUSION OF LAW

It is therefore ordered by the Director of Insurance and agreed to by Respondent, Arnold Pospisil, that Respondent's insurance agent's/producer's license shall be revoked, and the Respondent shall immediately surrender his insurance agent's license to Beverly Creager, Licensing Administrator of the Nebraska Department of Insurance. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary.

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

Linda R. Sanchez-Masi

Linda R. Sanchez-Masi
Representative for Nebraska
941 "O" Street, Ste. 400
Lincoln, NE 68508
(402) 471-2201

Arnold Pospisil
Respondent

7-18-02
Date

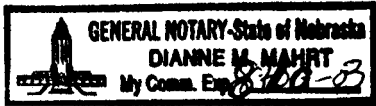
07-24-02

Date

Prepared by:
James M. Egr
Attorney-at-Law
Attorney for the Respondent
of Egr and Birkel, P.C.
465 4th Street, P.O. Box 46
David City, NE 68632
(402) 367-3139

State of Nebraska)
) ss.
County of SARASOTA)

On this 19 day of JULY, 2002, Arnold Pospisil personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



Dianne M. Mahrt
Notary Public

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. Arnold Pospisil, Cause No. A-1467

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

L. Tim Wagner
L. TIM WAGNER
Director of Insurance

7/25/02
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to Respondent's attorney, James M. Egr, Egr and Birkel, P.C. at 465 - 4th Street, P.O. Box 46, David City, NE 68632-0046 by certified mail, return receipt requested, on this 25th day of July, 2002.

Stacey M. Bellgumill