NEBRASKA DEPARTMENT
OF INSURANCE

JUL 15 2004

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
PETITIONER,	)	
VS.	)	CAUSE NO. A-1576
MICHAEL J. WEIGHTMAN,	)	
RESPONDENT.	)	

Jul 14, 2004 ACCT# 8521 $500.00
NO-INVOICE TRAN# 1339991
WEIGHTMAN, MICHAEL J
CHECK# 18494

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Janette L. Adair and Michael J. Weightman, ("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, 44-4047 et seq, and 44-19,109.

2. 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 J. Weightman, Cause Number A-1576 on June 14, 2004. 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. Respondent violated Neb. Rev. Stat. §44-19,116(2) (R.S.SUPP., 2003), and 210 Neb. Admin. R. & Regs. 34-007 (2004) et. seq. as a result of the following conduct:

a. Respondent failed to have an annual audit made of Respondent's escrow, settlement, closing, and security deposit accounts, conducted by a certified public accountant on a calendar year basis at Respondent's expense within ninety days after the close of the previous calendar year.

b. Respondent failed to have an examination report submitted to the Nebraska Department of Insurance by a certified public accountant, on the Respondent's behalf, describing the scope of the examination and the result of the procedures performed by the certified public accountant.

3. Respondent was informed of Respondent's 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 Respondent's right to a public hearing, Respondent also waives Respondent's right to confrontation of witnesses, production of evidence, and judicial review.

4. Respondent admits the allegations stated in Paragraph 2 above.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §44-19,116(2) (R.S.SUPP., 2003), and 210 Neb. Admin. R. & Regs. 34-007 (2004) et. seq.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, Michael J. Weightman, that Respondent shall have an audit conducted by a certified public accountant pursuant to Neb. Rev. Stat. §44-19,116(2) (R.S.SUPP., 2003), submit an examination report pursuant to 210 Neb. Admin. R. & Regs. 34-007 (2004) et. seq., and pay an administrative fine in the amount of $500 within thirty days after the Director of the Department of Insurance affixes his signature to this document and approves this consent agreement. If Respondent fails to have an audit conducted, submit an examination report, or pay this fine in the time specified, Respondent's Nebraska insurance producers license shall automatically be revoked. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.

Janette L. Adair, #22618
Attorney for Petitioner
941 "O" Street, Suite 400
Lincoln, NE 68508
(402) 471-2201

Respondent

7-13-04
Date

Date

State of MICHIGAN)
) ss.
County of OAKLAND)

On this 13 day of JULY, 2004, Michael J. Weightman 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

KAREN L. DRAPINSKI
NOTARY PUBLIC OAKLAND CO., MI
MY COMMISSION EXPIRES Sep 20, 2008
9/20/06

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 J. Weightman, Cause No. A-1576.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

L. TIM WAGNER
Director of Insurance

7/15/04
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at 3777 Sparks Drive SE, Suite 120, Grand Rapids, Michigan 49546, by certified mail, return receipt requested on this 15th day of July, 2004.

Tracy A. Gruhn