

STATE OF NORTH DAKOTA
BEFORE THE COMMISSIONER OF INSURANCE

In the Matter of

**Michael Diblasi,
NPN 18073171**

Respondent.

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**FINDINGS OF FACT,
CONCLUSIONS OF LAW,
AND DEFAULT ORDER**

CASE NO. AG-20-808

TO: Michael Diblasi, 209A Linden Ave., Hanover, PA 17331-4701

On January 14, 2020, a Complaint for Revocation of License was filed with the Insurance Commissioner by John Arnold, Deputy Commissioner and Director of Producer Licensing for the North Dakota Insurance Department, alleging Michael Diblasi, NPN 18073171 committed various violations of North Dakota insurance statutes.

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on January 14, 2020. On or about February 10, 2020, the certified letter was returned to the Department. Proof of service of the Complaint is annexed to these Findings. Respondent failed to answer the Complaint within 20 days as required under N.D.C.C. § 28-32-21 (1)(e). As such, on July 29, 2020, an Application for Default Order was made deeming the allegations made in the Complaint to be admitted pursuant to N.D.C.C. § 28-32-30. Pursuant to N.D.C.C. § 26.1-26-22, a nonresident producer is served upon mailing.

Based on the allegations made in the Complaint and on the evidence presented in the Affidavits filed in support of the Complainant's Application for Default Order, the following Findings of Fact, Conclusions of Law, and Default Order are entered:

FINDINGS OF FACT

I

Respondent is presently, and has at all times pertinent to this action, been an licensed North Dakota nonresident insurance producer

II

The Complaint was mailed to Respondent at the address on file with the Department by the United States Postal Service via certified mail, return receipt requested, on January 14, 2020. On or about February 10, 2020, the certified mail was returned to the Department. Respondent failed to provide a written response to the Complaint.

III

Respondent has not answered the Complaint within 20 days as required under N.D.C.C. § 28-32-21(1)(e).

IV

On or about January 14, 2020, a certified letter was sent to the address on file.

V

As of July 29 2020, the Department has not received a response.

CONCLUSIONS OF LAW

1. Respondent was properly served the Complaint in accordance with N.D.C.C. § 26.1-26-22 and the North Dakota Rules of Civil Procedure.

2. Because of his failure to answer the Complaint within 20 days of its proper service, Respondent is in default under N.D.C.C. § 28-32-30.

3. Because Respondent is in default, the allegations in the Complaint are deemed admitted pursuant to N.D.C.C. § 28-32-30.

4. Respondent's violations of N.D.C.C. § 26.1-26-42(14) are grounds for revocation of Respondent's insurance producer license.

5. Under N.D.C.C. § 26.1-26-42, the Commissioner of Insurance has authority to revoke Respondent's producer license for the violations cited above.

DEFAULT ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED that the North Dakota insurance producer license of Michael Diblasi, NPN 18073171, be REVOKED effective after the time for filing a motion to vacate a Default Order pursuant to N.D.C.C. § 28-32-30 expires.

DATED at Bismarck, North Dakota, this 20th day of July, 2020.



Jon Godfread
Commissioner
N.D. Insurance Department
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Bismarck, ND 58505
(701) 328-2440