

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Jacob Luithle,)	AND DEFAULT ORDER
NPN 17224583,)	
)	CASE NO. AG-17-733
Respondent.)	

TO: Jacob Luithle, 13001 County Road 10 #CVC, Plymouth, MN 55442-1124

On July 27, 2017, a Complaint for Revocation of License was filed with the Insurance Commissioner by Kelvin W. Zimmer, Director of Producer Licensing for the North Dakota Insurance Department, alleging Jacob Luithle, NPN 17224583 (“Respondent”), 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 July 28, 2017. On July 31, 2017, the certified mail was signed for. 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 August 30, 2017, 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.

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 insurance producer licensed in North Dakota.

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 July 28, 2017. On July 31, 2017, the certified mail was signed for. 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 April 6, 2017, the Department received notification that Pruco Life Insurance Company, Prudential Insurance Company, and Pruco Life of New Jersey terminated Respondent's appointment for cause. A certified letter was sent to Respondent requesting his position on the termination. The letter was signed for on April 10, 2017. Respondent should have responded to the Department on or about April 30, 2017. As of July 13, 2017 no response has been received. Respondent's failure to respond within 20 days is in violation of N.D.C.C. § 26.1-26-42 (14).

V

Respondent's actions constitute violations of N.D.C.C. § 26.1-26-42 (14).

CONCLUSIONS OF LAW

1. Respondent was properly served with the Complaint in accordance with the North Dakota Rules of Civil Procedure.
2. Because of Respondent's 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 Jacob Luithle, NPN 17224583, 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 31st day of August, 2017.



Jon Godfread
Commissioner
N.D. Insurance Department
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