

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	FINDINGS OF FACT,
)	CONCLUSIONS OF LAW,
Adam Johnson,)	AND DEFAULT ORDER
NPN 17863406,)	
)	CASE NO. AG-18-765
Respondent.)	

TO: Adam Johnson, 313 Mann St, Wing, ND 58494

On May 24, 2018, 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 Adam Johnson, NPN 17863406 ("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 May 24, 2018. On May 28, 2018 certified mail delivery was accepted. 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 9, 2018, 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 May 24, 2018. On May 28, 2018, 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

Staff members at the Department investigated the conduct of Respondent and discovered that he had submitted fictitious insurance applications to an insurance company while he was appointed with that company. He received commissions on these fictitious policies.

V

Respondent's actions constitute violations of N.D.C.C. §§ 26.1-04-03 and 26.1-26-42 and are grounds for revocation of Respondent's insurance producer license.

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. §§ 26.1-04-03 and 26.1-26-42 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 Adam Johnson, NPN 17863406, 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 13th day of July, 2018.



Jon Godfread
Commissioner
N.D. Insurance Department
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