

**STATE OF NORTH DAKOTA**  
**BEFORE THE INSURANCE COMMISSIONER**

<b>In the Matter of</b>	)	<b>FINDINGS OF FACT,</b>
	)	<b>CONCLUSIONS OF LAW,</b>
<b>Sherika Brantley,</b>	)	<b>AND DEFAULT ORDER</b>
<b>NPN 17728095,</b>	)	
	)	<b>CASE NO. AG-16-660</b>
<b>Respondent.</b>	)	

**TO: Sherika Brantley, 1307B Bonnie Brae Street, Austin, TX 78753-4504**

On August 18, 2016, 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 Sherika Brantley, NPN 17728095 (“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 August 18, 2016. On October 13, 2016, the certified mail was returned to the Department marked “Return to Sender – Vacant – Unable to Forward.” 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 October 17, 2016, 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 August 18, 2016. On October 13, 2016, the certified mail was returned to the Department marked "Return to Sender – Vacant – Unable to Forward." 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

According to information obtained by the Department, on or about May 23, 2016, Respondent's appointment with Amica Mutual Insurance Company was terminated for cause. The reason for the termination was stated as the company's investigation concluded that Respondent knowingly and purposefully manipulated customer transactions for her own personal gain in order to avoid losing a sales credit toward a

monthly bonus. Respondent's actions that led to the termination for cause are in violation of N.D.C.C. § 26.1-26-42(6).

#### V

On or about June 13, 2016, a letter was sent by certified mail, return receipt requested, to Respondent requesting information relating to the termination for cause. Delivery of the certified mail was accepted on June 17, 2016. To date, Respondent has failed to respond to the Department's request for information. Respondent's failure to respond to a written request for information by the Department within 20 days is a violation of N.D.C.C. § 26.1-26-42(14).

#### VI

Respondent's actions constitute violations of N.D.C.C. § 26.1-26-42(6) and (14) 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 her 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(6) and (14) are grounds for revocation of her 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 Sherika Brantley, NPN 17728095, 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 17<sup>th</sup> day of October, 2016.



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Adam Hamm  
Commissioner  
N.D. Insurance Department  
600 East Boulevard Avenue  
Bismarck, ND 58505  
(701) 328-2440

**TO:** Sherika Brantley  
1307B Bonnie Brae Street  
Austin, TX 78753-4504

**SENDER:** Jeff Ubben

**REFERENCE:** Sherika Brantley

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