

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF )

EDWIN J. THOMPSON )

) DIVISION FILE NO.: 85074  
)

**DEFAULT ORDER OF REVOCATION, CEASE AND DESIST  
AND CIVIL PENALTY**

Now therefore, the Commissioner of Insurance, being fully advised in the premises, issues the following findings of fact, conclusions of law and order of revocation, cease and desist and civil penalty:

**Findings of Fact**

1. On October 8, 2012, Respondent Edwin J. Thompson ("Thompson") applied for a non-resident producer license by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License ("Application").
2. In submitting the Application, Thompson designated the Commissioner as an agent for service of process.
3. Thompson was issued his non-resident insurance producer license from the State of Iowa on October 8, 2012 and was assigned national producer number 1841938.
4. As a licensed insurance producer, Thompson is required to keep his address current. Thompson's last recorded address in his license record is 6649 Stranwood Drive, Englewood, OH 45322.
5. On August 1, 2014, the Division was notified by letter that Thompson was terminated for cause by his insurers, Metropolitan Property and Casualty Insurance

Company and Metropolitan Group Property & Casualty Insurance Company (collectively "MetLife"). The stated reason for Thompson's termination was that he falsified discount information in order to obtain a lower premium for the client and to increase his commission.

6. On August 12, 2014, the Division sent a letter to Thompson which stated that MetLife had terminated his producer appointment for cause because he falsified discount information in order to obtain a lower premium for the client and to increase his commission. A written response to the letter was required on or before August 29, 2014, but as of the date of this filing Thompson has not responded.

7. On September 2, 2014, the Division filed a statement of charges against Thompson.

8. Pursuant to Thompson's consent to service of process, the Commissioner was served with the statement of charges on September 18, 2014. The Commissioner issued a Notice of Hearing scheduling a contested case for December 2, 2014.

9. The Commissioner mailed notification of the statement of charges and the notice of hearing to the last known address provided by Thompson in his licensing record.

10. On October 1, 2014, Thompson accepted the notice of hearing and statement of charges by restricted certified mail delivery from the United States Postal Service.

11. Thompson has not filed an answer, nor any other responsive pleading to the statement of charges.

12. On October 23, 2014, the Insurance Division mailed a motion for entry of default judgment to Thompson's address of record.

13. Thompson has not filed any response to the motion for entry of default judgment.

### Conclusions of Law

14. The Commissioner may consider a motion unresisted, if no response is timely filed. 191 IAC 3.15(2). Thompson has not filed a timely written response to the Division's motion for entry of default judgment. The motion is unresisted.
15. A party to a contested case action may move for default against a party when the party fails to file a required pleading or has failed to appear after proper service. 191 IAC 3.22(2). Thompson has not filed an answer and has not resisted the Division's motion for default judgment.
16. Under Thompson's consent to service of process, Thompson was properly served as required by 191 IAC 3.5(1). As a licensed producer, Thompson is required to maintain a current address in his license record. 191 IAC 10.12(2).
17. The Division's motion for default should be granted.
18. Thompson failed or refused to cooperate in an investigation by the Division in violation of Iowa Code § 522B.11(1)(p) (2013).
19. The violation of Iowa Code Chapter 522B and applicable rules is grounds for revocation, suspension, censure, and/or the imposition of a civil penalty and an order requiring such person to cease and desist from the acts, methods or practices stated in this statement of charges pursuant to Iowa Code §§ 522B.11 and 522B.17.
20. This hearing procedure was governed by Iowa Code §§ 17A.12, 522B.11 and 522B.17; and 191 IAC Ch. 3.

**ORDER**


IT IS HEREBY ORDERED that Edwin J. Thompson is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against Edwin J. Thompson and his Iowa insurance producer license is hereby REVOKED. The Insurance Division shall take any steps necessary to implement this decision.

IT IS FURTHER ORDERED that Edwin J. Thompson shall cease and desist from engaging in any of the acts, methods or practices determined as violations herein or from transacting the business of insurance in this state.

IT IS FURTHER ORDERED that Edwin J. Thompson shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$1,000.

Dated this 12 date of November, 2014.

  
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NICK GERHART  
Commissioner of Insurance

## NOTICE

A default decision becomes final agency action 15 days from the date of the decision was mailed unless a motion to vacate the default decision is filed within that time period. 191 IAC 3.22(3). A motion to vacate must state all the facts upon which the moving party relies to establish good cause for failure to appear or participate at the contested case proceeding. Each fact must be substantiated by at least one affidavit by a person with personal knowledge of the fact, and the affidavit must be attached to the motion.